

City of Coral Gables
Local Planning Agency (LPA)/Planning and Zoning Board Meeting
Wednesday, October 19, 2011, 6:01 p.m.
Coral Gables Memorial Youth Center Auditorium
405 University Drive, Coral Gables, Florida

MEMBERS	D9	J12	F9	M9	A27	M11	J8	J22	O12	O19	APPOINTMENT
	'10	'11	'11	'11	'11	'11	'11	'11	'11	'11	
Eibi Aizenstat - Chair	C	C	P	C	P	C	P	P	P	P	City Manager Patrick Salerno
Robert Behar	C	C	P	C	P	C	P	P	P	P	Commissioner Rafael Cabrera, Jr.
Jeffrey Flanagan - Vice Chair	C	C	P	C	P	C	P	P	P	E	Commissioner Maria Anderson
Julio Grabiell	-	-	-	-	-	C	P	P	P	P	Mayor Jim Cason
Pat Keon	C	C	P	C	P	C	P	P	E	P	Planning and Zoning Board
Vince Lago	-	-	-	-	-	-	-	-	P	P	Commissioner Frank C. Quesada
Javier Salman	C	C	P	C	P	C	P	P	P	E	Vice Mayor William H. Kerdyk, Jr.

P = Present
E = Excused
C = Meeting Cancelled

City Staff and Consultants:

Eric Riel, Jr., Planning Director
 Scot Bolyard, Principal Planner
 Jill Menendez, Administrative Assistant
 Craig E. Leen, City Attorney
 Dona Spain, Historical Resources Director
 Cynthia Birdsill, Economic Sustainability Director
 Jane Tompkins, Development Services Director

Court Reporter:

Joan Bailey

Also present: Patrick G. Salerno, City Manager

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CITY OF CORAL GABLES
PLANNING DEPARTMENT
2011 OCT 24 3 PM 21

1 CITY OF CORAL GABLES
2 LOCAL PLANNING AGENCY (LPA)/
3 PLANNING AND ZONING BOARD MEETING
4 VERBATIM TRANSCRIPT
5 CORAL GABLES CITY HALL
6 405 BILTMORE WAY, COMMISSION CHAMBERS
7 CORAL GABLES, FLORIDA
8 WEDNESDAY, OCTOBER 19, 2011, COMMENCING AT 6:01 P.M.

9 Board Members Present:
10 Eibi Aizenstat, Chairman
11 Robert Behar
12 Julio Grabiell
13 Pat Keon
14 Vincent Lago

15 City Staff and Consultants:
16 Eric Riel, Jr., Planning Director
17 Craig E. Leen, City Attorney
18 Scot Bolyard, Planner
19 Jill Menendez, Administrative Assistant
20 Dona Spain, Historic Preservation Officer
21 Cynthia Birdsill, Economic Sustainability Director
22 Jane Tompkins, Development Services Director
23 Patrick G. Salerno, City Manager

24 Also Present:
25 Laura Russo, Esq.

1 The first item is going to be an Ordinance of the
2 City Commission of Coral Gables, Florida,
3 amending the Future Land Use Map of the City of
4 Coral Gables Comprehensive Plan pursuant to
5 Small Scale Amendment procedures subject to
6 Subsection 163.3187 as amended of the Florida
7 Statutes, from "Public Buildings and Grounds"
8 to "Commercial, Low-Rise Intensity" on Lots 1
9 through 4 and north half of vacated alleyway,
10 and "Commercial, Mid-Rise Intensity" on Lots 42
11 through 48 and south half of vacated alleyway
12 for the property commonly known as the Coral
13 Gables Museum, legally described as Lots 1
14 through 4 and 42 through 48 and portion of
15 vacated alleyway, Block 34, Section "K," whose
16 address is 285 Aragon Avenue, Coral Gables,
17 Florida; and providing for severability,
18 repealer, codification, and an effective date.

19 The second item is going to be an Ordinance
20 of the City Commission of Coral Gables,
21 Florida, amending the City of Coral Gables
22 Official Zoning Map, providing for a change of
23 zoning from Special Use (S) District to
24 Commercial District (C), for the property
25 legally described as Lots 1 through 4 and 42

1 THEREUPON:
2 The following proceedings were had:
3 CHAIRMAN AIZENSTAT: All right, should we
4 get started? It's six o'clock and we have a
5 quorum.

6 Will you please call the roll?
7 MS. MENENDEZ: Robert Behar?
8 MR. BEHAR: Here.
9 MR. MENENDEZ: Jeff Flanagan?
10 Julio Grabiell?
11 MR. GRABIEL: Here.
12 MS. MENENDEZ: Pat Keon?
13 MS. KEON: Here.
14 MS. MENENDEZ: Vince Lago?
15 MR. LAGO: Here.
16 MS. MENENDEZ: Javier Salman?
17 Eibi Aizenstat?

18 CHAIRMAN AIZENSTAT: Here.
19 The next item would be normally the
20 approval of the minutes, but we don't have any.
21 There are no changes to the agenda. And if
22 there was people in the audience, I would
23 actually ask them to stand up, if anybody was
24 going to speak, to get sworn in.

25 Let's take a look at the first item. The

1 through 48 and portion of vacated alleyway,
2 Block 34, Section "K," whose address is 285
3 Aragon Avenue, Coral Gables, Florida; and
4 providing for severability, repealer,
5 codification, and an effective date.

6 And the third item is an Ordinance of the
7 City Commission of Coral Gables, Florida,
8 providing for a text amendment to the City of
9 Coral Gables Official Zoning Code, Article 4,
10 "Zoning Districts," adding "Museum" as a
11 permitted use in Commercial District (C) and
12 Industrial District (I) and as a conditional
13 use in Commercial Limited District and Special
14 Use District, and Article 8, "Definitions,"
15 creating a definition for "Museum," and
16 providing for severability, repealer,
17 codification, and an effective date.

18 Is there a presentation?
19 MR. RIEL: Yes, Mr. Chair, I just have a
20 very brief presentation.

21 If I can have the PowerPoint up.
22 Scot, you don't need to do that. It's not
23 that long of a PowerPoint.

24 What you have before you today, and I'm
25 going to -- The presentation is regarding

1 Agenda Items 6, 7 and 8, which you read into
2 the record. They're all associated and
3 related.

4 Basically, the first -- This is the subject
5 property. It's 285 Aragon, which is basically
6 the Coral Gables Museum. And this is just an
7 aerial shot.

8 The first request is for a change in land
9 use. As a part of the update of the Comp Plan,
10 if you recall, those Board Members that were
11 present during that, we made changes to the
12 Comp Plan, as well as a change in the zoning to
13 ensure properties were compatible, in terms of,
14 they had the same land use and zoning.

15 If you remember, we presented to you about
16 130 or 40 properties throughout the City.
17 Those went forward, and upon consideration by
18 the Commission, they determined to only do the
19 publicly-held properties. They didn't do -- We
20 didn't do the privately-held properties. The
21 Commission, at the time, was desirous to -- as
22 each individual property developed or requested
23 something, to evaluate that at that time.

24 So, basically, what we did is, we went back
25 and did the publicly-held properties, those

1 owned by local governments, the County as well
2 as the City, and as a part of that, included
3 the museum property. We changed it to a
4 "Public Buildings and Grounds" land use, and
5 the zoning was changed to Special (S) use,
6 which is the compatible land use and zoning
7 category.

8 By doing that, in effect, what we did was,
9 we eliminated the opportunity for the transfer
10 of development rights on the property. As you
11 probably well know, the City has a
12 transferability of rights ordinance for the
13 preservation of historic properties, that
14 allows to transfer the rights within the CBD,
15 which then is sold to a property owner and they
16 can basically add additional development to
17 their property, up to a 4.25 FAR.

18 Basically, what happens is, when that is
19 sold, whatever the market bears, that cost is
20 then provided to the property owner where the
21 transfer is done. So, basically, it's a tool
22 to encourage and provide dollars for the
23 preservation of historic property. I mean,
24 that's been in place for I don't know how many
25 years, probably -- you know, I would say

1 probably 15, 20 years.

2 So, by doing this change in land use as a
3 part of this comprehensive change, we removed
4 the TDRs. What we're doing now is requesting
5 that it go back to the commercial designation
6 and the commercial zoning, to allow the ability
7 to transfer the rights. So, basically, we're
8 going back to what the original land use and
9 zoning was.

10 And also associated with this, at the time
11 when the museum came through for review, the --
12 there was no museum use listed in the Zoning
13 Code. At that time, it was determined to be a
14 municipal facility, and as you know, right now,
15 basically, it's a museum, but it's not
16 necessarily a municipal museum. So what we're
17 also doing is correcting the Code to provide
18 for a museum use, which basically, right now,
19 in the Code, you could not do a private museum.
20 It's not a permitted use. So we're correcting
21 that situation and we're also providing
22 basically for a definition. And that's
23 basically what 6, 7 and 8 -- is desired, and
24 Staff recommends approval, and we'd request,
25 given the fact that one of these ordinances

1 needs to go to the State for -- not for review,
2 but just for information, we request that
3 promotion, if you choose.

4 MR. BEHAR: Okay, let me ask a question.
5 You mentioned that currently, the transfer of
6 TDRs is only to commercial, from historic
7 property to commercial property.

8 MR. RIEL: In the CBD.

9 MR. BEHAR: In the CBD only?

10 MR. RIEL: Correct.

11 MR. BEHAR: You know, just throwing
12 something out, have you contemplated being able
13 to transfer to the mixed use district, also?

14 MR. RIEL: That's not a part of this
15 request, but that's not something that we've
16 looked into. You know, the transfer -- I don't
17 know, perhaps Dona knows when the original
18 ordinance was done.

19 MR. BEHAR: Because in the CBD, you really
20 only have a lot of FAR, available area. I'm
21 not sure if you want to even --

22 MS. SPAIN: You know, that has been
23 discussed in the past. We haven't studied it,
24 but we've discussed it, and I think that the
25 TDR provisions were put in -- in, I believe,

1 the '80s, but then they were rewritten 10 years
 2 ago, I guess.
 3 MR. BEHAR: Something to consider, because
 4 I think that it may be more advantageous --
 5 MS. SPAIN: Uh-huh.
 6 MR. BEHAR: -- to have that opportunity and
 7 not increase the CBD even more than we're
 8 allowed to do today.
 9 MS. SPAIN: Right, but that mixed use area
 10 was done after we had the TDRs.
 11 MR. BEHAR: Okay.
 12 MS. SPAIN: And that's why it just wasn't
 13 done as part of it.
 14 MR. BEHAR: I'll suggest to -- if we can,
 15 just let's look into that, please.
 16 Eric, you mentioned that you want to --
 17 You don't want to have the motion to have all
 18 three together, right? Separate?
 19 CHAIRMAN AIZENSTAT: Right.
 20 MR. RIEL: The preference is, yes.
 21 MR. BEHAR: I'll make a motion to -- if
 22 there's no -- I'll make a motion to approve
 23 Ordinance Number 6.
 24 CHAIRMAN AIZENSTAT: Is there a second?
 25 MS. KEON: I would second it.

1 CHAIRMAN AIZENSTAT: Okay. Just one
 2 question, if I may. How many TDRs does this
 3 property produce?
 4 MR. RIEL: That's subject to a calculation
 5 that the Building & Zoning Department needs to
 6 do, but we estimate around 55 or 60,000 square
 7 feet.
 8 CHAIRMAN AIZENSTAT: Okay.
 9 MR. RIEL: And again, that's just an
 10 estimate. Don't hold me to that.
 11 CHAIRMAN AIZENSTAT: Okay. There's a first
 12 and there's a second. Any further comments or
 13 discussions?
 14 Call the roll, please.
 15 MS. MENENDEZ: Julio Grabiell?
 16 MR. GRABIEL: Aye.
 17 MS. MENENDEZ: Pat Keon?
 18 MS. KEON: Yes.
 19 MS. MENENDEZ: Vince Lago?
 20 MR. LAGO: Yes.
 21 MS. MENENDEZ: Robert Behar?
 22 MR. BEHAR: Yes.
 23 MS. MENENDEZ: Eibi Aizenstat?
 24 CHAIRMAN AIZENSTAT: Yes.
 25 MR. BEHAR: With that, I make a motion to

1 approve Ordinance Number 7, or Item Number 7.
 2 MR. GRABIEL: Second.
 3 CHAIRMAN AIZENSTAT: There's a first and a
 4 second. Any discussion or any comments?
 5 Call the roll, please.
 6 MS. MENENDEZ: Pat Keon?
 7 MS. KEON: Yes.
 8 MS. MENENDEZ: Vince Lago?
 9 MR. LAGO: Yes.
 10 MS. MENENDEZ: Robert Behar?
 11 MR. BEHAR: Yes.
 12 MS. MENENDEZ: Julio Grabiell?
 13 MR. GRABIEL: Aye.
 14 MS. MENENDEZ: Eibi Aizenstat?
 15 CHAIRMAN AIZENSTAT: Yes.
 16 MR. LEEN: Excuse me, Mr. Chairman, could
 17 you make it clear or let's make it clear that
 18 there is no public -- that there was no one
 19 here for the public hearing, and that's closed?
 20 CHAIRMAN AIZENSTAT: Well, I actually did,
 21 at the very beginning.
 22 MR. LEEN: Oh, no, but -- so it has been
 23 formally closed, though, as well, correct?
 24 Well, it never really occurred, but normally --
 25 CHAIRMAN AIZENSTAT: That's fine. Since

1 there's nobody here, then there's no public
 2 input.
 3 MR. LEEN: Okay.
 4 MR. BEHAR: Just out of curiosity, on Item
 5 Number 8, "Museum," do you mean that currently,
 6 it's an illegal building?
 7 MR. LAGO: Well, that's an issue.
 8 MR. GRABIEL: It's not a museum.
 9 MR. BEHAR: Okay. Is that an issue?
 10 MR. RIEL: A municipal facility.
 11 MR. BEHAR: Oh, okay. I'll make a motion
 12 to approve Item Number 8.
 13 MR. GRABIEL: Second.
 14 CHAIRMAN AIZENSTAT: Having heard the
 15 first, and seconded, any comments?
 16 MR. LAGO: No.
 17 CHAIRMAN AIZENSTAT: Any questions?
 18 Call the roll, please.
 19 MS. MENENDEZ: Vince Lago?
 20 MR. LAGO: Yes.
 21 MS. MENENDEZ: Robert Behar?
 22 MR. BEHAR: Yes.
 23 MS. MENENDEZ: Julio Grabiell?
 24 MR. GRABIEL: Yes.
 25 MS. MENENDEZ: Pat Keon?

1 MS. KEON: Yes.
 2 MS. MENENDEZ: Eibi Aizenstat?
 3 CHAIRMAN AIZENSTAT: Yes.
 4 The second item that we're going to -- on
 5 the agenda is an Ordinance of the City
 6 Commission of Coral Gables, Florida, providing
 7 for a text amendment to the City of Coral
 8 Gables Official Zoning Code, Article 3,
 9 "Development Review," Division 10, "Transfer of
 10 Development Rights," to update and clarify the
 11 provisions; and providing for severability,
 12 repealer, codification, and an effective date.
 13 Eric, do you have a presentation?
 14 MR. RIEL: Yeah, again, very brief. Let me
 15 have the PowerPoint up.
 16 Basically, what this is, is a Zoning Code
 17 text amendment regarding a transfer of
 18 development rights. As a part of the rewrite
 19 of the Zoning Code, there were no really major
 20 changes that were done to the TDR. Since we
 21 are looking at the museum and the whole issue
 22 of, you know, change in land use and zoning,
 23 Historic Preservation and the Planning
 24 Department worked closely on just clarifying
 25 the TDR provisions. There's no change in terms

1 of the content of the provisions. The only
 2 change that was made is to kind of -- and I put
 3 up on the overhead, is to kind of outline the
 4 process in a more clear fashion, so it's
 5 hopefully easier to understand.
 6 The only other change that was done was to
 7 put a time limitation on when they're granted
 8 and when the TDR receiving site receives a site
 9 plan. There's a two-year time frame, which is
 10 typical or standard for all development
 11 approvals. So, if a TDR was granted, say, in
 12 1985, it would still be valid today. So we're
 13 just putting a time limitation, because
 14 obviously, as things go through time, you know,
 15 things change.
 16 So that's basically the only change, just
 17 clarification, and just, you know,
 18 modifications to the format of the document.
 19 CHAIRMAN AIZENSTAT: Okay. Seeing how
 20 there's nobody here from the public, we'll go
 21 ahead and close --
 22 MR. BEHAR: Let me ask --
 23 CHAIRMAN AIZENSTAT: -- to the public and
 24 bring it for Board discussion.
 25 MR. BEHAR: You're putting a time

1 limitation on the ability to transfer those
 2 development rights?
 3 MR. RIEL: Yes. The transfer is granted by
 4 the Historic Preservation --
 5 MR. BEHAR: Correct.
 6 MR. RIEL: -- Department, and there's a
 7 two-year time frame from the date of the
 8 issuance.
 9 MS. SPAIN: That was my request. I
 10 requested that because the transfer is linked
 11 to a maintenance plan of a historic building,
 12 and if it's indefinite, the building could be
 13 deteriorating and then they can transfer them,
 14 and the whole purpose is to maintain the
 15 historic building.
 16 MR. BEHAR: Okay.
 17 MS. SPAIN: Okay?
 18 CHAIRMAN AIZENSTAT: Makes sense.
 19 MR. BEHAR: Makes sense. Okay.
 20 CHAIRMAN AIZENSTAT: Any other comments?
 21 MS. KEON: Can I -- Yeah. Are -- Are the
 22 transfer of development rights transferable to
 23 another party within those two years? If
 24 somebody else buys a particular site, do you
 25 have to start all over?

1 MR. RIEL: The certificate, I would assume,
 2 is granted to a specific individual or
 3 property.
 4 MS. KEON: Right.
 5 MR. BEHAR: Property.
 6 MR. RIEL: Right.
 7 MS. KEON: To a property.
 8 MR. BEHAR: Property.
 9 MS. KEON: And if the property changes
 10 hands, the development rights don't go with it,
 11 or they do? That's what I'm asking.
 12 CHAIRMAN AIZENSTAT: That's a good
 13 question.
 14 MS. SPAIN: They do.
 15 This isn't tied to a specific owner. It is
 16 tied to a receiving site, though.
 17 MS. KEON: To a site?
 18 MS. SPAIN: To a receiving site, not a
 19 sending site.
 20 MS. KEON: Right, no.
 21 MS. SPAIN: So, if I own a historic
 22 building --
 23 MS. KEON: Right.
 24 MS. SPAIN: -- and I get the ability to
 25 transfer to some commercial property --

1 MS. KEON: Right, right.
 2 MS. SPAIN: -- and then I sell the
 3 building, it stays with the building. I mean,
 4 but if I sell the building, then the ability to
 5 transfer is still there with the building.
 6 MS. KEON: Okay, no, I understand that.
 7 MS. SPAIN: Right.
 8 MS. KEON: I'm talking about the receiving
 9 site, and --
 10 MS. SPAIN: It's tied to a receiving site.
 11 It's tied to a receiving site.
 12 MS. KEON: Right.
 13 MS. SPAIN: It's not necessarily tied to
 14 the owner of that receiving site.
 15 MS. KEON: Okay, so it could be
 16 transferred. I mean, they could -- they could
 17 go with the sale of the building?
 18 MS. SPAIN: Right.
 19 MS. KEON: They would go?
 20 MS. SPAIN: Yes, as long as it's the same
 21 design.
 22 MS. KEON: But they're still limited to the
 23 two years, anyway?
 24 MS. SPAIN: Right.
 25 MS. KEON: Is that right?

1 MS. SPAIN: That's right.
 2 CHAIRMAN AIZENSTAT: Can they come in and
 3 ask you for an extension? Let's say you're --
 4 MS. SPAIN: I don't know the answer to that
 5 question.
 6 MR. RIEL: No.
 7 MR. BEHAR: Should we consider putting a
 8 time to ask for an extension?
 9 MR. GRABIEL: It would give you the
 10 opportunity to review the building and see how
 11 it's doing, and at that time then either cut it
 12 off or allow them --
 13 MS. KEON: They could just reapply.
 14 MR. BEHAR: Maybe it's just one extension
 15 you get, but I'm thinking a two-year time
 16 frame --
 17 MS. SPAIN: I know it's difficult.
 18 MR. BEHAR: -- is very tight.
 19 MS. SPAIN: It is.
 20 MR. BEHAR: You know?
 21 MS. SPAIN: For the receiving site.
 22 MR. BEHAR: For the receiving site. So I
 23 think that, you know, the idea, like Julio
 24 said, is, you know, you do an inspection. If
 25 the building's still -- you could grant an

1 extension.
 2 MS. SPAIN: I don't have a problem with
 3 that.
 4 MR. BEHAR: Okay.
 5 MR. LEEN: May I ask a question? What
 6 would be the standard for whether the extension
 7 is granted?
 8 MR. GRABIEL: Standard?
 9 MR. LEEN: Well, how would you -- It's an
 10 automatic extension? I don't know what you're
 11 talking about.
 12 MR. GRABIEL: The Historic Department would
 13 have to review -- to give them the opportunity
 14 to review the donor site --
 15 MR. LEEN: Sure.
 16 MR. GRABIEL: -- and --
 17 CHAIRMAN AIZENSTAT: It would be up to the
 18 Historic Department.
 19 MR. GRABIEL: The Historic Department.
 20 MS. SPAIN: For the length, you mean, of
 21 the extension? Because you probably should put
 22 on what that extension would be, what time
 23 frame it would be for.
 24 MR. LEEN: There should be some
 25 limitation as to --

1 MS. SPAIN: Right.
 2 MR. LEEN: -- the time frame, and then
 3 there should probably be some standard, like
 4 if, after review, you see this, that it's
 5 substantially --
 6 MS. SPAIN: With the maintenance.
 7 MR. LEEN: Yeah.
 8 MS. KEON: Can you -- Is it possible to
 9 just, if the property that has received the --
 10 that has the right now --
 11 MS. SPAIN: Uh-huh.
 12 MS. KEON: -- that has been transferred to
 13 them --
 14 MS. SPAIN: Uh-huh.
 15 MS. KEON: If that property is sold, can
 16 they, you know, go through -- I'd like to see
 17 something that allows them, you know, to be
 18 able to -- to go through the process of
 19 recertifying that without, you know, a cost to
 20 them or --
 21 MS. SPAIN: As long as it's within the
 22 two-year time frame and the design hasn't
 23 changed, then that would still be valid.
 24 MR. BEHAR: But I could imagine -- I
 25 could -- you know, if there's a property that

1 you transfer to --
 2 MS. SPAIN: Uh-huh.
 3 MR. BEHAR: -- and I start, you know,
 4 designing on that property --
 5 MS. SPAIN: No, I know.
 6 MR. BEHAR: -- and I may not be able to
 7 even --
 8 MS. SPAIN: I know.
 9 MR. BEHAR: -- commence construction in
 10 that first two years, then I'm -- I'm --
 11 MS. SPAIN: You're out.
 12 MR. BEHAR: I'm out, and I already designed
 13 this project, and I can't go back to get it. I
 14 think that there has to be a provision that
 15 there is an extension, and let me give you an
 16 example. In the City of Miami, the major use
 17 special permits, after a time expires, you
 18 could ask for an extension to those, and you'll
 19 be granted. If you want to make a -- put a
 20 provision that you have to do something to make
 21 sure that it's still there --
 22 MS. SPAIN: Why don't you put a review of
 23 the maintenance plan, that the Historic
 24 Preservation Department reviews the maintenance
 25 plan?

1 MR. BEHAR: That would be fine.
 2 MS. SPAIN: I don't know, I mean, because
 3 that's the whole point.
 4 CHAIRMAN AIZENSTAT: That's the whole
 5 point, yeah.
 6 MS. KEON: Right.
 7 MS. SPAIN: Right.
 8 CHAIRMAN AIZENSTAT: What happens if the
 9 time expires? What's the procedure if -- Can
 10 they reapply again?
 11 MS. SPAIN: I would imagine. I don't think
 12 there's a prohibition on reapplication.
 13 MR. BEHAR: You don't want to go through
 14 the whole process again.
 15 MS. KEON: It's time consuming and
 16 everything.
 17 MS. SPAIN: We have people reapply for the
 18 significance letters in our department.
 19 MS. KEON: So you don't want to -- You
 20 don't want to force it on people if they --
 21 CHAIRMAN AIZENSTAT: But there's got to
 22 be a -- but that extension has to be tied to a
 23 specific period, and I think before you grant
 24 an extension, there may have to be certain
 25 criteria that's met, and that would be by the

1 maintenance plan.
 2 MR. BEHAR: Well, the maintenance plan, as
 3 she said, and --
 4 CHAIRMAN AIZENSTAT: Yeah, which is
 5 perfect.
 6 MR. BEHAR: Right, as long as you already
 7 commence doing the maintenance to the historic
 8 site, you're fine.
 9 CHAIRMAN AIZENSTAT: What's the time period
 10 that an extension would be granted for? It
 11 can't be indefinitely.
 12 MR. RIEL: Typically, in other provisions
 13 in the Code, we've done six-month time --
 14 administrative time extensions, subject to the
 15 Development Review Official, which in the case
 16 would be Dona.
 17 CHAIRMAN AIZENSTAT: Are you okay with that?
 18 MS. KEON: Is that part of the -- I'm
 19 sorry, is that part of an ordinance, or is that
 20 just part of the administrative?
 21 MR. RIEL: No, it's in actually --
 22 MS. KEON: Is that something --
 23 MR. RIEL: For the other time limitation
 24 and approvals --
 25 MS. KEON: It is? It's in the ordinance?

1 MR. RIEL: It's actually 18 months, and we
 2 go six months to two years. That's why we
 3 suggested two years on this.
 4 MS. KEON: Okay.
 5 MR. RIEL: My suggestion is, you know, one
 6 six-month extension.
 7 MS. SPAIN: If you ask for an extension on
 8 a building period, what's the time period on
 9 that?
 10 CHAIRMAN AIZENSTAT: It's 18?
 11 MS. SPAIN: The building --
 12 MR. RIEL: Well, it's -- once you get the
 13 permit, it's in six-month intervals. It's up
 14 to --
 15 MS. SPAIN: Is it?
 16 MR. RIEL: -- the Building Official, yeah.
 17 CHAIRMAN AIZENSTAT: Up to three six-month
 18 intervals, I think.
 19 MR. RIEL: It can -- I think it can be
 20 infinitely extended, subject to --
 21 MR. BEHAR: So maybe you do -- instead of
 22 three, you do to two extensions a year.
 23 MS. SPAIN: Six months.
 24 MR. BEHAR: You know.
 25 MS. SPAIN: So it gives them a year.

1 MR. BEHAR: Six months and no more than a
2 two-extension limit.
3 CHAIRMAN AIZENSTAT: What, you said per
4 year?
5 MR. BEHAR: No, no, two extensions.
6 CHAIRMAN AIZENSTAT: Two six-month
7 extensions?
8 MR. BEHAR: Two six-month extensions.
9 CHAIRMAN AIZENSTAT: But each six-month
10 extension would have to go before a maintenance
11 plan review?
12 MR. BEHAR: Right. That's okay.
13 CHAIRMAN AIZENSTAT: That's fine.
14 MS. KEON: But it's by -- it's an
15 administrative review.
16 MS. SPAIN: That's fine.
17 CHAIRMAN AIZENSTAT: Right, it would be
18 by --
19 MS. KEON: (Inaudible).
20 MS. SPAIN: That's an easy thing to do.
21 CHAIRMAN AIZENSTAT: It doesn't have to
22 come back.
23 MS. SPAIN: I think that's fair.
24 MR. RIEL: Okay.
25 MS. KEON: Can we -- We would add that,

1 then --
2 MS. SPAIN: That's good.
3 MS. KEON: -- pick up that language.
4 CHAIRMAN AIZENSTAT: Any other comments
5 from the Board?
6 MS. KEON: No. Oh, I have one other
7 question. It has to be within the CBD, but
8 there isn't any -- You feel that the CBD is a
9 compact enough area that the proximity of the
10 sending and the receiving sites are not -- I
11 mean, I understand that if it's within 500
12 feet, for concern over the historical property,
13 you want, you know, some review, but, you know,
14 can it be -- There's no limitation on how
15 close --
16 MR. RIEL: No.
17 MS. KEON: -- it is to -- that they are to
18 one another or anything else? No?
19 MR. RIEL: No, there's not.
20 MS. KEON: It's a compact enough area
21 that --
22 MR. RIEL: Yes.
23 MS. KEON: -- you think it would -- Okay.
24 MR. RIEL: And understand that the last
25 time we had a transfer request has probably

1 been seven or eight years.
2 MS. KEON: Okay.
3 MR. RIEL: It's been a while.
4 MS. KEON: So there's not a lot of those
5 properties, anyway?
6 MR. RIEL: There's a list that's been
7 developed that we have, that --
8 MS. KEON: Right.
9 MR. RIEL: -- that Dona has in Historic,
10 that has the available TDRs, but there's not
11 really -- I've spoken to some folks about
12 transfers, but there hasn't been anything
13 formally submitted --
14 MS. KEON: Okay.
15 MR. RIEL: -- in a number of years.
16 MS. KEON: Okay, fine. That's all.
17 CHAIRMAN AIZENSTAT: And right now, the
18 transfers are limited only to specific areas,
19 correct?
20 MR. RIEL: The CBD.
21 CHAIRMAN AIZENSTAT: The CBD?
22 MR. RIEL: Only the CBD.
23 MS. KEON: It's only in the CBD.
24 CHAIRMAN AIZENSTAT: And what about the
25 mixed use, that Robert went ahead and brought

1 up?
2 MR. RIEL: There's not -- We haven't done
3 that analysis or study, so this proposal --
4 again, this is not to change the content. This
5 was just to clarify and improve -- so that
6 there's a better understanding of the
7 ordinance.
8 CHAIRMAN AIZENSTAT: Okay. Any other
9 comments? Is there a motion?
10 Robert?
11 MR. BEHAR: I make a motion to approve with
12 the conditions that we discussed.
13 CHAIRMAN AIZENSTAT: Which are?
14 MR. BEHAR: I don't remember.
15 MR. LAGO: Two six-month terms?
16 MR. BEHAR: There are too many.
17 MR. GRABIEL: It's the six months.
18 MR. LAGO: A six-month term.
19 MS. KEON: How is it written in the other,
20 that it's in the other Code --
21 MR. RIEL: It's basically --
22 MS. KEON: How is it stated?
23 MR. RIEL: Well, we'll put -- There's other
24 language. I'm not looking at the right
25 section. We'll say two six-month extensions

1 may be granted by the Development Review
 2 Official, subject to a maintenance plan, and
 3 we'll work on the language --
 4 CHAIRMAN AIZENSTAT: Per review.
 5 MR. RIEL: Per review. I mean, we'll work
 6 on the language. If the Board's okay --
 7 CHAIRMAN AIZENSTAT: Yes.
 8 MR. RIEL: -- we'll put that language in
 9 and then it will just -- obviously, it will be
 10 part of the presentation to the Commission.
 11 MS. KEON: Yeah.
 12 CHAIRMAN AIZENSTAT: Yeah.
 13 MS. KEON: I'll second it.
 14 MR. RIEL: There's a second?
 15 MR. LAGO: Second.
 16 CHAIRMAN AIZENSTAT: Any further
 17 discussion?
 18 Call the roll, please.
 19 MS. MENENDEZ: Robert Behar?
 20 MR. BEHAR: Yes.
 21 MS. MENENDEZ: Julio Grabiél?
 22 MR. GRABIEL: Yes.
 23 MS. MENENDEZ: Pat Keon?
 24 MS. KEON: Yes.
 25 MS. MENENDEZ: Vince Lago?

1 MR. LAGO: Yes.
 2 MS. MENENDEZ: Eibi Aizenstat?
 3 CHAIRMAN AIZENSTAT: Yes.
 4 The next application request is an
 5 ordinance of the City of Coral -- is an
 6 Ordinance of the City of Coral Gables, Florida,
 7 providing for text amendments to the City of
 8 Coral Gables Official Zoning Code, Article 5,
 9 "Development Standards," Division 19, "Signs,"
 10 creating new sign code provisions allowing for
 11 "Signature event signs" and "Art in Public
 12 Place signs" and Article 8, "Definitions,"
 13 creating new definitions; and providing for
 14 severability, repealer, codification, and an
 15 effective date.
 16 Eric, is there a presentation?
 17 MR. RIEL: Yeah, just a very brief
 18 presentation. Scot, probably on this one, you
 19 might want to turn the lights off, because we
 20 have some illustrations that we want to show
 21 you.
 22 Basically, this is a request to create new
 23 sign code provisions for two types of signage,
 24 "Signature event signs" and "Art in Public
 25 Places signs." By -- we're also creating a new

1 definition.
 2 Basically, the "Signature event signs" are
 3 for -- allowing for, you know, banners or
 4 pennants for special events at the museum,
 5 one-screen cinemas and theatres. The other one
 6 is to allow signs at public art, pursuant to
 7 the City's current Art in Public Places
 8 Program.
 9 Basically, what we've done is -- and I'll
 10 show you the illustrations, and we also have
 11 them in the packet as Attachment B, I believe.
 12 We did some illustrations of each of the three
 13 buildings -- the first that you have on the
 14 screen there is the museum -- just some
 15 examples of what type of banners, and again,
 16 what you see up there is just examples. It's
 17 not the intent that this -- It's limited to a
 18 five percent maximum area of the building
 19 frontage, so it ends up being 350 square feet.
 20 All those signs that you see up there are just
 21 examples. That exceeds the 350; I want you to
 22 understand that.
 23 And this is just an example of an
 24 opportunity available on the other side, facing
 25 Aragon.

1 MR. BEHAR: And these will only be for the
 2 museum, the theatre --
 3 MR. RIEL: And the one-screen cinema,
 4 correct.
 5 MR. GRABIEL: Aren't we opening a Pandora's
 6 box? I mean, if we allow the publicly-held
 7 buildings to put these kinds of signs, why
 8 can't I, as a private owner, hang a banner on
 9 my door?
 10 MR. BEHAR: Very good point.
 11 MS. SPAIN: The -- okay, the intent here is
 12 to have it only City-owned, the reason being
 13 that right now, if you want to have a banner
 14 for an event, it's only allowed if it's part of
 15 a special event that impacts the right-of-way.
 16 So you go to a Special Events Committee, that's
 17 made up of City Staff, and banners and signs,
 18 signature signs, are allowed just for the
 19 length of that event and then they have to come
 20 down.
 21 Well, now the cultural venues in the
 22 downtown, they don't have the ability to have
 23 these signs for upcoming events, and since it's
 24 an internal event, they don't go to the Special
 25 Events Committee, unless it's impacting the

1 right-of-way, so they don't have the signage
2 announcing it. So they've gone to the
3 Commission meeting. Just at a recent
4 Commission meeting, the museum asked for the
5 ability to do banners for their opening this
6 weekend, and they were approved. So this is a
7 way to not have to have them go at every
8 exhibit opening to the Commission and ask for
9 the event, and also for the cinema. It really
10 doesn't have a very big presence on the street.
11 It's tucked back in. They have wonderful
12 events there. They have a small kiosk, but
13 again, it's a way for them to be able to
14 advertise upcoming events.

15 That doesn't really answer your question.

16 MS. KEON: No.

17 CHAIRMAN AIZENSTAT: If you go ahead and
18 you're limiting the overall coverage that you
19 can do to five percent of the maximum area --

20 MS. SPAIN: Yes.

21 CHAIRMAN AIZENSTAT: -- are you doing
22 anything as far as the number of signs that you
23 can put up on that building? Or, as long as
24 you fall within that five percent, you're fine?

25 MS. SPAIN: As long as you fall within that

1 five percent, you're fine.

2 CHAIRMAN AIZENSTAT: So, if I want to put
3 seven signs running across, as long as -- and
4 they're smaller, as long as I'm within the five
5 percent --

6 MS. SPAIN: Well, they need to go to the --
7 It needs to go to the Board of Architects. It
8 would need to, if it's a historic building, go
9 to --

10 CHAIRMAN AIZENSTAT: Temporary signs would
11 have to go before the Board of Architects?

12 MS. SPAIN: All these banners would require
13 Board of Architects review, so --

14 MR. BEHAR: All these banners on public
15 buildings --

16 MS. SPAIN: Yes.

17 MR. BEHAR: -- everything has to go before
18 the Board of Architects.

19 MS. SPAIN: Yes, Board of Architects, and
20 if it's historic, it would go to the Historic
21 Preservation Department. So there is a review
22 for aesthetics.

23 CHAIRMAN AIZENSTAT: And then let's say you
24 go ahead and put a banner that's up there, that
25 I say is temporary. What's the time frame,

1 then? How do you define temporary? What time
2 period can I leave it up?

3 MS. SPAIN: I would say it would be the
4 length of the exhibit.

5 MR. RIEL: Yeah, there's no limitation.

6 MS. SPAIN: There would be no limitation on
7 it.

8 CHAIRMAN AIZENSTAT: So, basically, I can
9 put up some kind of banner and just leave it
10 there for three years?

11 MS. SPAIN: Well, then Code Enforcement
12 would kick in when it -- if it gets really
13 tattered and stuff, but yes.

14 MS. KEON: But I think you want to be able
15 to advertise upcoming events, so you don't want
16 it for just --

17 CHAIRMAN AIZENSTAT: But that would be
18 specific to that event.

19 MS. KEON: Well, yeah, but if there's going
20 to be, you know, an exhibition or an exhibit or
21 something --

22 MS. SPAIN: Right. It's like the Museum of
23 Modern Art in New York has its banners --

24 MS. KEON: I mean, you want to be able to
25 put it up, you know, that between October 15th

1 and November whatever --

2 MR. BEHAR: But do you put it a year in
3 advance and you keep it there for a year, or
4 you put it, you know, 30 days, 90 days prior to
5 the event?

6 MS. KEON: Well, you usually put it up --
7 you usually put up the season. I mean, usually
8 you advertise the event that's there and for
9 the period of time that event's there --

10 MR. BEHAR: For the duration of the event.

11 MS. KEON: -- but then you usually start
12 advertising the next event, as soon as that
13 event -- The event to follow usually begins to
14 be advertised during --

15 MS. SPAIN: Right.

16 MS. KEON: -- the period of time that the
17 event is going on, so that people that are
18 coming to the event --

19 MS. SPAIN: See what's coming next.

20 MS. KEON: -- see what's coming next. So
21 you want to be able to -- you know, they need
22 to have -- and usually --

23 MR. BEHAR: So it's a permanent banner; it
24 just basically means that --

25 MS. KEON: Right. There's probably a

1 banner --
 2 MS. SPAIN: Yeah, it's called temporary
 3 because it's not --
 4 MS. KEON: -- going to be there all the time.
 5 MS. SPAIN: You know, it's a temporary
 6 physically attached --
 7 MS. BEHAR: Attached to the building.
 8 MS. SPAIN: -- permanent sign.
 9 MS. KEON: Yeah, I mean, it's always going
 10 to be there, and it's going to change,
 11 depending on what the --
 12 MR. BEHAR: Event is.
 13 MS. KEON: -- event is.
 14 MR. BEHAR: And all we're doing is
 15 changing -- increasing the size that you are
 16 today?
 17 MS. KEON: Well, I guess they're not
 18 allowed to do it.
 19 MR. RIEL: No, they're not allowed to.
 20 MS. KEON: They're not allowed to do them
 21 at all.
 22 MS. SPAIN: They don't have the ability to
 23 do this at all --
 24 MS. KEON: Right.
 25 MS. SPAIN: -- unless they ask the City

1 Commission.
 2 MS. KEON: Right.
 3 MS. SPAIN: And it's difficult to do that,
 4 because sometimes --
 5 MS. KEON: Yes.
 6 MS. SPAIN: -- it doesn't fall, you know --
 7 CHAIRMAN AIZENSTAT: Pat, what I'm hearing
 8 from you is a key word that you're saying, is
 9 "usually," but it's not -- There's no
 10 guidelines that we're setting as to the time
 11 period or when they can do it or it can't be
 12 done.
 13 MS. KEON: No.
 14 CHAIRMAN AIZENSTAT: Should we establish
 15 some kind of guidelines?
 16 MS. KEON: I wouldn't -- I wouldn't do
 17 that, only because I think that you have to
 18 allow them to use the signage around the time
 19 frame --
 20 CHAIRMAN AIZENSTAT: Who's "them"?
 21 MS. KEON: The museum --
 22 MS. SPAIN: Right.
 23 MS. KEON: -- or the theatre or whatever
 24 the cultural event or venue is, is that you
 25 need to allow them to make that decision as to

1 when they're going to --
 2 MR. BEHAR: But don't you think -- You're
 3 right, but don't you think that if you have no
 4 event and you have no plan, you know, and that
 5 event is not coming to, let's say, June of next
 6 year, should I be able to put it up today?
 7 MS. SPAIN: You know, honestly, I don't
 8 have a problem with that.
 9 MR. BEHAR: You know?
 10 MS. SPAIN: The Miracle Theatre has had
 11 such a difficult time with signage and with
 12 their --
 13 MR. BEHAR: And I don't have a problem. I
 14 would think they -- I'm okay with it, I just --
 15 MS. SPAIN: Yeah, but it was not our intent
 16 to limit it, limit the time period. It is our
 17 intent to limit the size, but not the time
 18 period that they're up.
 19 MS. KEON: I would have a concern about
 20 limiting the content. You know, I wouldn't
 21 want to see a banner for a summer art program
 22 or that sort of thing. I would -- you know,
 23 what I would only want to see on here are
 24 events.
 25 MR. BEHAR: But it --

1 MR. RIEL: And the Code is very specific.
 2 It says promote community-based events,
 3 activities, exhibits, shows, in a facility,
 4 only erected by a unit of government or
 5 cultural institution. It does have provisions
 6 in terms of content, the maximum logo size, you
 7 can't have changeable copy, vertical lettering
 8 is permitted, type of construction materials
 9 and how it's attached -- So there are
 10 provisions that --
 11 MS. KEON: Okay, but like current, now, the
 12 Miracle Theatre on the Mile will have on their
 13 billboard there -- they will have an
 14 announcement about summer classes and those
 15 sorts of things. I really wouldn't like to see
 16 that on the banners. What I would like to see
 17 on the banners --
 18 MS. SPAIN: So how do we limit that?
 19 MS. KEON: -- is the actual, you know,
 20 posting of events that are taking place,
 21 cultural events.
 22 MS. SPAIN: Right.
 23 MS. KEON: And if there's not an event
 24 coming on, and you want the sign, then you'd
 25 have Coral Gables Museum on the sign.

1 MS. SPAIN: Right.
 2 MS. KEON: And then you could replace it
 3 with that kind of a banner, just like -- I
 4 mean, the Met in New York always has banners
 5 up.
 6 MS. SPAIN: Right.
 7 MS. KEON: Always.
 8 MR. BEHAR: Right.
 9 MS. KEON: And, you know, if there's not --
 10 I mean, usually there is an exhibit, but it
 11 could be a minor exhibit, and sometimes you
 12 just see the Metropolitan Museum of Art banner
 13 out there. I mean, it's --
 14 MS. SPAIN: I agree with you on the --
 15 MS. KEON: I don't have a problem with
 16 that.
 17 MS. SPAIN: -- on the summer programs. I
 18 don't know how to write that.
 19 MS. KEON: I'm not sure, either, but I
 20 really don't want to see that, you know --
 21 MS. SPAIN: I understand.
 22 MS. KEON: I don't want to see like, you
 23 know, that there's going to be the --
 24 MS. SPAIN: Summer camp.
 25 MS. KEON: You know, an auction for the

1 benefit of the museum on a banner. I don't
 2 want to -- you know, I don't want to see that,
 3 that's --
 4 MS. SPAIN: You want to put the events
 5 themselves.
 6 MS. KEON: I want it -- it is strictly
 7 limited to the event.
 8 MS. SPAIN: Uh-huh.
 9 CHAIRMAN AIZENSTAT: But wouldn't you
 10 define -- Let's go back to the example. If the
 11 museum has an auction benefit, an auction that
 12 benefits the museum, for whatever grants or
 13 whatever money they need, you're saying that
 14 you don't want to see that posted there?
 15 MS. KEON: I don't.
 16 MR. BEHAR: But then how would they
 17 advertise it?
 18 MR. LAGO: But that's an event that --
 19 CHAIRMAN AIZENSTAT: That's a benefit that
 20 they're doing.
 21 MR. LAGO: -- benefits the museum. I
 22 think -- I was listening to what you're saying
 23 and I think the issue that you're having, or
 24 we're all having, is the issue of time frame,
 25 you know, how long will a sign be up there,

1 because there's already two different safety
 2 valves, you know, one of them being the Board
 3 of Architecture, which is going to basically
 4 dictate whether a sign is acceptable or not,
 5 the content of the sign, the design of the
 6 sign. I think more the issue that we're
 7 currently having is going to be in regards to
 8 whether -- how long is the sign going to be up
 9 for, how much in anticipation can a sign be put
 10 up, advertising a show or an event --
 11 MR. BEHAR: Absolutely, and let's say it's
 12 an auction. Well, maybe we give them 30 days
 13 before that day to do something. Maybe on a
 14 summer program, maybe they have 90 days prior
 15 to the start of the summer program for them to
 16 start advertising.
 17 MS. KEON: Yeah, but, you know, today, the
 18 Youth Center doesn't have that ability, to --
 19 MS. SPAIN: No.
 20 MS. KEON: -- post, you know, those sorts
 21 of things.
 22 MS. SPAIN: Nor are we --
 23 MS. KEON: I mean, because they have --
 24 MS. SPAIN: -- anticipating that.
 25 MS. KEON: There is a cultural -- There is

1 an annually -- There's a book that is sent out
 2 by the City that lists, you know, what the
 3 facilities are and what the things are, and I
 4 think that's fine. So I really think whether,
 5 you know, you're going to use the sign or the
 6 banner to make the public aware of the current
 7 and the coming event at a facility, or are you
 8 going to allow them to use them to market, you
 9 know, all of the activities that are going to
 10 be there? I don't think that should be the
 11 purpose of the banner.
 12 MR. BEHAR: But this is limited to -- to
 13 the --
 14 MS. KEON: I think it should be simply
 15 limited to the exhibit or the show.
 16 MR. RIEL: I mean, it's -- I feel it's
 17 clear. I mean, the definition --
 18 MS. KEON: Okay.
 19 MR. RIEL: Promote community-based events,
 20 activities, exhibits and shows.
 21 MS. KEON: Right. Somebody could tell you
 22 that a summer program is a community-based
 23 event --
 24 CHAIRMAN AIZENSTAT: What happens if you
 25 have an auction --

1 MS. KEON: -- or an auction is a
 2 community-based event. They could tell you
 3 that, and I don't think so.
 4 CHAIRMAN AIZENSTAT: With the auction --
 5 MS. KEON: Absolutely not.
 6 CHAIRMAN AIZENSTAT: -- they can't tell you
 7 that. I don't know if they could tell you that
 8 for the summer class.
 9 MS. KEON: They can take out ads. They
 10 have a mailing list. They have members. You
 11 know, and there's other ways to do that without
 12 littering, I think. I think that --
 13 CHAIRMAN AIZENSTAT: So how do you define
 14 it and how do you specify it in the Code?
 15 MS. KEON: That it is --
 16 CHAIRMAN AIZENSTAT: Do you put exclusions?
 17 MS. KEON: No. I mean, I think it is to,
 18 you know, specific exhibits, current or
 19 upcoming exhibits, or showing -- or show, or
 20 performance. I mean, I think we're dealing
 21 only with shows, performance and exhibits now.
 22 Are we?
 23 CHAIRMAN AIZENSTAT: Are we, Dona?
 24 MS. KEON: No, are we -- I mean, it seems
 25 to me --

1 MS. SPAIN: Well, it says community-based
 2 events, activities, exhibits and shows. I
 3 don't have a problem with putting a banner up
 4 for an auction, but that's me.
 5 CHAIRMAN AIZENSTAT: I don't, either, to be
 6 honest with you, because if it's a -- to me, if
 7 it's a benefit for the museum -- I'm taking the
 8 museum as an example, and they're having on
 9 October 25th a benefit for the museum, an
 10 auction to raise money, I wouldn't want that to
 11 stay there --
 12 MR. BEHAR: Well, but you put a time frame.
 13 CHAIRMAN AIZENSTAT: Well, that's what I
 14 was talking about --
 15 MS. KEON: But what about, then -- What
 16 about the Rotary Club? Does the Rotary Club
 17 get to? When they have their annual event, do
 18 they --
 19 MR. BEHAR: Well, this is limited to these
 20 three buildings.
 21 MS. KEON: But then if they come back --
 22 MS. SPAIN: But where does the Rotary Club
 23 have them? I mean, I don't -- Like the --
 24 MS. KEON: A lot -- I mean, some other
 25 institution has some event.

1 MS. SPAIN: The Miracle Theatre has a
 2 yearly auction. I don't see the harm in giving
 3 them 30 days in advance of it to have a banner.
 4 MR. BEHAR: And besides, it's going to go
 5 to the Board of Architects for approval.
 6 MR. GRABIEL: And I assume, also, that it
 7 can only be -- the banner can only refer to an
 8 event that's going to take place in that --
 9 CHAIRMAN AIZENSTAT: In that building, yes.
 10 MR. RIEL: Yes.
 11 MS. SPAIN: Yes, absolutely.
 12 MR. GRABIEL: So I cannot announce in the
 13 museum --
 14 MS. SPAIN: No.
 15 MR. GRABIEL: -- that the library is going
 16 to have an exhibit of --
 17 MS. SPAIN: That's a very good point, and
 18 that should be added to this.
 19 CHAIRMAN AIZENSTAT: And it's got to be
 20 specific in there.
 21 MS. SPAIN: Yeah, that's a very good point,
 22 because we don't want them to sell banner time.
 23 MR. GRABIEL: Exactly.
 24 MS. KEON: Right.
 25 CHAIRMAN AIZENSTAT: It's got to be

1 specific to that building.
 2 MR. LAGO: I'm really not aware of what
 3 exactly is going on in the museum, but how
 4 often do the shows change or --
 5 MS. SPAIN: Well, right now, not very
 6 often.
 7 MR. LAGO: Because that would give us an
 8 idea in reference to how many times that banner
 9 gets changed, if it's on a quarterly basis or
 10 it's --
 11 MS. SPAIN: Right.
 12 MR. LAGO: -- you know, annual.
 13 CHAIRMAN AIZENSTAT: The museum is just one
 14 of the buildings.
 15 MS. SPAIN: Right.
 16 CHAIRMAN AIZENSTAT: There's other
 17 buildings.
 18 MR. LAGO: It's one component out of the --
 19 Right.
 20 MS. SPAIN: The cinema, I don't know how
 21 often they change the -- what they have there.
 22 And the Miracle Theatre --
 23 CHAIRMAN AIZENSTAT: What Pat -- What I'm
 24 hearing from Pat is that she would not like to
 25 see a banner that says class registration

1 starts such and such date --
 2 MS. KEON: No, no. Yeah.
 3 CHAIRMAN AIZENSTAT: -- for some class --
 4 MS. SPAIN: For something.
 5 CHAIRMAN AIZENSTAT: -- and that makes
 6 sense to me.
 7 MS. KEON: Yes.
 8 CHAIRMAN AIZENSTAT: So how do you just --
 9 At the same time, though, for an auction, I see
 10 that as a benefit to that specific institution
 11 or that specific place. So how do you
 12 distinguish or how do you --
 13 MS. KEON: Well, but, you know what? I
 14 think that anybody that is going to come to
 15 their auction or support their event is likely
 16 someone that has visited the facility.
 17 CHAIRMAN AIZENSTAT: Not necessarily, no.
 18 It could be somebody that's driving by for some
 19 reason and says, "Hey, there's an auction or a
 20 benefit tonight," or, "on the 14th. Let's go."
 21 MS. KEON: Or the Miracle Theatre, it's
 22 like if I don't have some investment in the
 23 Miracle Theatre, the likelihood is, I'm not
 24 going to go to their event. I mean, you know,
 25 if it's a museum and I've gone to the museum

1 and I am a member of the museum or I have some
 2 contact with the museum -- My first time going
 3 to the museum is not likely to go to a benefit
 4 that I have to pay a hundred dollars per person
 5 to go to.
 6 CHAIRMAN AIZENSTAT: But that's an option
 7 that an individual has.
 8 MS. KEON: I mean, I think, you know, they
 9 can -- within their facility, they can easily
 10 advertise, you know, their fundraising or
 11 those activities.
 12 MR. BEHAR: Julio, how do you feel about,
 13 you know, what we --
 14 MR. GRABIEL: I don't have any problem. I
 15 mean, I think the decision is, do we allow the
 16 banners or not.
 17 MR. LAGO: How about time frame? What
 18 about the time frame?
 19 MR. GRABIEL: Yes, but once you allow the
 20 banner, I think if it's for the benefit of the
 21 institution -- if we're accepting that we're
 22 going to put banners for the benefit of the
 23 institution --
 24 CHAIRMAN AIZENSTAT: Right.
 25 MR. GRABIEL: -- then it should be given

1 the flexibility to put the information there
 2 that they need to, as long as it only refers to
 3 the institution and not to anybody else.
 4 CHAIRMAN AIZENSTAT: Should there be a time
 5 frame on there?
 6 MR. GRABIEL: I would -- yes.
 7 CHAIRMAN AIZENSTAT: And if so --
 8 MR. GRABIEL: Yeah, what?
 9 CHAIRMAN AIZENSTAT: -- how much time do
 10 you suggest? Would it be 30 days prior to the
 11 event? Would it be 90 days prior to the event?
 12 MR. GRABIEL: If they have to go through
 13 the Board of Architects or the Historic Board,
 14 it's going to take them a while to --
 15 CHAIRMAN AIZENSTAT: Well, they've got to
 16 start the process, but the question is, at what
 17 point can they start to hang, that time. I
 18 think that would be more up to the City.
 19 MR. BEHAR: I mean, in some cases, maybe 30
 20 days is sufficient. Maybe you need 90 days. I
 21 don't see any more than 90 days, not to exceed
 22 90 days.
 23 MS. SPAIN: So why don't you put not to
 24 exceed 90 days?
 25 MR. BEHAR: You know?

1 MS. SPAIN: Probably it won't -- there
 2 won't be any --
 3 MR. BEHAR: Not to exceed 90 days.
 4 CHAIRMAN AIZENSTAT: 90 days from the start
 5 till it's done?
 6 MS. SPAIN: I think that's a good start at
 7 this, since it's the first time we're doing
 8 this in the downtown area, so --
 9 CHAIRMAN AIZENSTAT: So --
 10 MS. KEON: It can always be changed.
 11 MS. SPAIN: It can always be lengthened, so
 12 90 days, I think, is fine.
 13 CHAIRMAN AIZENSTAT: Would you define your
 14 90 days? Are you talking about from the start?
 15 MR. BEHAR: From the start of the event.
 16 CHAIRMAN AIZENSTAT: To the finish?
 17 MR. BEHAR: Well, throughout the duration
 18 or the finish of the, you know --
 19 MS. KEON: Well, usually, you know, while
 20 one event is going on, you're advertising the
 21 next event. So, you know, you would have
 22 subsequent events you'd be advertising, but I
 23 don't know that -- I don't know how long an
 24 exhibit stays. Does an exhibit stay more than
 25 90 days? I mean, see, I don't know. That's

1 why --

2 CHAIRMAN AIZENSTAT: That's why we're not
3 limiting the amount of signs; we're just
4 limiting the percentage that they can
5 encompass, those signs.

6 MS. KEON: Well, but there's -- the
7 discussion now is about the length of time the
8 signs can remain up.

9 MR. GRABIEL: I thought, when we were
10 referring to time, it was the time before the
11 event starts.

12 MR. BEHAR: Before the event.

13 CHAIRMAN AIZENSTAT: When an event starts.

14 MR. GRABIEL: How much time before that,
15 because then it should run through the event.

16 MR. BEHAR: Through the event, so you have
17 90 days prior to the start of the event and
18 through the duration of the event.

19 MS. KEON: Right, but then you'll have --

20 MS. SPAIN: Whatever that may be.

21 MS. KEON: But then, during the duration of
22 the event --

23 MS. SPAIN: If it's a six-month time, then
24 they can stay up to six months.

25 MS. KEON: -- they also will have the

1 signage up for the upcoming event.

2 MR. GRABIEL: We still will do it 90 days
3 before --

4 CHAIRMAN AIZENSTAT: So that person or that
5 institution has to apply 90 days -- can apply
6 up to 90 days before that.

7 MR. BEHAR: The possibility could be -- is
8 that you may have two banners --

9 MS. KEON: Right. That's right.

10 MR. BEHAR: -- but as long as you comply
11 with the five percent --

12 MS. KEON: And they have different things
13 up. No, they have different things on the
14 same --

15 MR. BEHAR: Okay?

16 MR. GRABIEL: Fine.

17 MR. BEHAR: So I'm okay with that.

18 MS. KEON: Good, or could they just have --
19 I mean, I think this is not just to promote the
20 facilities. I think it's also to, you know,
21 give the public the opportunity to be aware of
22 cultural events within their City.

23 MS. SPAIN: Right. Right.

24 MS. KEON: So it's not really -- you know,
25 you're not there, you know, just -- I mean,

1 it's really for the public, is that you're
2 doing this. So --

3 CHAIRMAN AIZENSTAT: Anybody want to make a
4 motion?

5 MR. GRABIEL: I'm not sure what --

6 MS. KEON: Okay.

7 CHAIRMAN AIZENSTAT: Pat?

8 MS. KEON: I have a question about the
9 cinema, because I don't know if you -- I mean,
10 that -- that rolls over pretty quickly.

11 MS. SPAIN: I believe so.

12 MS. KEON: You know, the -- I mean, only
13 from what I've seen in the paper.

14 MS. SPAIN: Right.

15 MS. KEON: -- when I'm looking at the
16 schedule, and having gone to the cinema, that,
17 you know, it changes -- that rolls over pretty
18 quickly, so -- and because they're kind of
19 tucked back there, you don't really see them or
20 know they're there. So, you know, I could see
21 where there would be benefit to them to just
22 have a banner that says, you know, the
23 cinema --

24 MS. SPAIN: Uh-huh.

25 MS. KEON: -- and not necessarily

1 advertising what the show is, because if it's a
2 two-week show, the cost for them to have
3 banners reprinted every two weeks is --

4 MS. SPAIN: Well, that's true, unless
5 there's something special coming up.

6 MS. KEON: It's expensive, so I mean -- you
7 know, so we're saying it's -- so it's not
8 limited to just the event; it's also the venue.

9 MS. SPAIN: Right.

10 MS. KEON: And under this ordinance, the
11 venue itself can also be advertised?

12 MS. SPAIN: Yes?

13 MR. RIEL: No.

14 MS. KEON: See, I don't think it can.

15 MR. RIEL: No, this is only the event.

16 This is only --

17 MR. BEHAR: It's only the event.

18 MS. KEON: I think this is very specific
19 to the event.

20 MR. RIEL: This is only for the event.

21 MR. BEHAR: The event, completely the
22 event.

23 MR. RIEL: It's not to put Coral Gables
24 Museum on it.

25 MS. KEON: Okay, but what about the Coral

1 Gables Cinema?
 2 CHAIRMAN AIZENSTAT: It's not that it's a
 3 permanent sign.
 4 MR. BEHAR: Exactly.
 5 CHAIRMAN AIZENSTAT: If somebody goes in
 6 there and does a banner, and it says "Cinema,"
 7 because they're tucked away --
 8 MS. KEON: All right. Okay, so what do we
 9 do for them? How do you promote the Coral
 10 Gables Cinema?
 11 CHAIRMAN AIZENSTAT: They have to --
 12 MR. BEHAR: They have to come in and ask
 13 for a permanent sign.
 14 CHAIRMAN AIZENSTAT: Yeah. That's up to
 15 them.
 16 MS. KEON: Can a permanent sign -- Is there
 17 a provision in the Code --
 18 MS. SPAIN: There's a permanent sign.
 19 MS. KEON: -- for a permanent sign --
 20 MS. SPAIN: They have a sign.
 21 MS. KEON: -- to be a banner?
 22 MS. SPAIN: No.
 23 MR. LEEN: Pardon me. The actual language
 24 is community-based events, activities, exhibits
 25 and shows.

1 MS. SPAIN: Within the facility. So it's
 2 not the facility. Eric's right. I stand
 3 corrected.
 4 MS. KEON: What's that?
 5 MR. RIEL: I mean, the intent of this -- I
 6 mean --
 7 MS. KEON: Right.
 8 MR. RIEL: -- we can certainly come back if
 9 we're finding out that, you know, we're having
 10 a problem with banners being up there, and we
 11 can certainly come back and modify it. My
 12 suggestion is just, let us move forward with
 13 this --
 14 MR. BEHAR: I agree.
 15 MR. RIEL: -- and there's always bugs that
 16 need to be worked out --
 17 MS. KEON: Right.
 18 MR. RIEL: -- and we can bring it back and
 19 modify it, and if we obviously get concerns and
 20 complaints, we have Historic as well as --
 21 CHAIRMAN AIZENSTAT: Right.
 22 MR. RIEL: -- you know, looking at it, so
 23 I --
 24 MS. KEON: Yes.
 25 MR. RIEL: This is kind of a first shot.

1 MR. GRABIEL: I'm ready to make a motion.
 2 CHAIRMAN AIZENSTAT: Go ahead, please.
 3 MR. GRABIEL: To approve the ordinance as
 4 is, with two amendments. One, that the
 5 signage or the banners cannot be put more than
 6 90 days before the event will take place, and
 7 that the banners should not advertise an event
 8 in any other facility -- or any other facility.
 9 CHAIRMAN AIZENSTAT: So, in other words,
 10 the banner should be specific to the facility
 11 where it is?
 12 MR. GRABIEL: Correct.
 13 MR. BEHAR: I second it.
 14 MR. LEEN: And by banners, you don't mean
 15 just the banners. You mean all the signs in
 16 the ordinance, just to be -- okay.
 17 MR. BEHAR: Yes.
 18 CHAIRMAN AIZENSTAT: Correct, but we're
 19 talking about banner signs here.
 20 MS. SPAIN: Right, but there are other
 21 types that they're allowing, not just banners.
 22 CHAIRMAN AIZENSTAT: Okay.
 23 MR. BEHAR: You have a first and a second.
 24 CHAIRMAN AIZENSTAT: We have a first and
 25 second. Any discussion?

1 Call the roll, please.
 2 MS. MENENDEZ: Julio Grabiell?
 3 MR. GRABIEL: Yes.
 4 MS. MENENDEZ: Pat Keon?
 5 MS. KEON: Yes.
 6 MS. MENENDEZ: Vince Lago?
 7 MR. LAGO: Yes.
 8 MS. MENENDEZ: Robert Behar?
 9 MR. BEHAR: Yes.
 10 MS. MENENDEZ: Eibi Aizenstat?
 11 CHAIRMAN AIZENSTAT: Yes.
 12 MS. SPAIN: Thank you very much.
 13 CHAIRMAN AIZENSTAT: Thank you.
 14 MS. KEON: Oh, oh, wait a minute. I did
 15 have a question about -- Does this also involve
 16 the Art in Public Places?
 17 MR. RIEL: Right.
 18 MS. SPAIN: It's coming up.
 19 MS. KEON: Oh, okay, that's the next one.
 20 CHAIRMAN AIZENSTAT: That's next.
 21 MS. KEON: Okay.
 22 CHAIRMAN AIZENSTAT: The next application
 23 request is an ordinance of the City --
 24 MR. RIEL: No, we need to do the Art in
 25 Public Places.

1 CHAIRMAN AIZENSTAT: That's right.
 2 MR. RIEL: Did your motion include that?
 3 MR. BEHAR: No, no, no.
 4 CHAIRMAN AIZENSTAT: No, it did not.
 5 MS. KEON: No, right, because (inaudible).
 6 MR. LEEN: So the motion only included
 7 5-1914?
 8 CHAIRMAN AIZENSTAT: Yes.
 9 MS. KEON: Yes.
 10 CHAIRMAN AIZENSTAT: It should have
 11 included both of them together, actually,
 12 because that's the way you're bringing it to
 13 us.
 14 MR. RIEL: Right.
 15 CHAIRMAN AIZENSTAT: So --
 16 MR. RIEL: Let me do a brief summary.
 17 CHAIRMAN AIZENSTAT: Yes, go ahead, please.
 18 MR. RIEL: This, again, is a new provision.
 19 It's to provide the opportunity to put signs
 20 for art in public -- for the Art in Public
 21 Places Program. It defines the minimum (sic)
 22 sign area, temporary and permanent signs,
 23 quantity, content, location, as well as a
 24 review process.
 25 And Cynthia Birdsill is here, if you have

1 any questions.
 2 I don't know if you want to add anything
 3 else.
 4 MS. BIRDSILL: We're adding this provision
 5 to the Zoning Code. It's similar to the
 6 ability to put plaques near historic sites.
 7 Right now, there isn't the ability for us to
 8 put signage near a piece of artwork that is
 9 part of the City's Art in Public Places
 10 Program. So this is really just to allow us to
 11 put identification signs, basically, saying who
 12 the artist is, what the materials are, the year
 13 it was created, and maybe a little bit more
 14 about the content of the piece, if that is
 15 desired.
 16 CHAIRMAN AIZENSTAT: What limitations do
 17 you have on the signs, size-wise?
 18 MS. BIRDSILL: There's a maximum signage
 19 area of 324 square inches per sign, and there's
 20 a limitation of two signs. We wanted to
 21 allow -- you know, for example, we just had a
 22 piece approved by the Commission that are these
 23 birds in flight on a building, and they have
 24 some -- it has a meaning, so having the sign --
 25 a second sign able to explain what the meaning

1 for the artist is, content like that, that
 2 would be informative.
 3 CHAIRMAN AIZENSTAT: So would the idea be
 4 that if you have two signs on one statue, they
 5 can't say the same verbiage?
 6 MS. BIRDSILL: You probably wouldn't have
 7 them say the same verbiage.
 8 MR. BEHAR: You could potentially have a
 9 sign that's 18 by 18, right?
 10 MS. BIRDSILL: I'm not good at the math.
 11 MR. LEEN: Yeah.
 12 MR. GRABIEL: 18 by 18 is 324.
 13 MS. BIRDSILL: Okay.
 14 MR. BEHAR: To describe the artist?
 15 MS. BIRDSILL: Yeah. You would definitely
 16 put the artist's name, the name of the piece,
 17 the materials, the year it was created, and
 18 then if a developer was the person who had
 19 created the piece, they might want to add
 20 something about, you know -- more biography of
 21 the artist or background on the piece. You
 22 know, they might want to identify that it's
 23 part of the Art in Public Places requirement.
 24 CHAIRMAN AIZENSTAT: Isn't that size pretty
 25 big, 18 by 18?

1 MS. BIRDSILL: I think it's the same size
 2 as the historic plaques, isn't it?
 3 MR. GRABIEL: Well, there's two 18 by 18.
 4 CHAIRMAN AIZENSTAT: Yeah, two 18 by 18s.
 5 MR. GRABIEL: We're talking about 18 by 36.
 6 If you put them together, it's going to be 18
 7 by 36.
 8 MS. KEON: Yeah, could we --
 9 MR. BEHAR: What are we allowed to do
 10 today?
 11 MS. BIRDSILL: Nothing.
 12 MS. KEON: Nothing.
 13 MR. BEHAR: I think it's a good idea to be
 14 able to put something up. I just think that an
 15 18 by 18 could be overpowering to the --
 16 MS. BIRDSILL: Well, it doesn't necessarily
 17 have to be on the piece. You can have
 18 something that's in the ground or a plaque on
 19 the ground, or it could be on the nearby
 20 building.
 21 MR. GRABIEL: 18 by 18 --
 22 MR. BEHAR: It would be good if we have
 23 something -- you know, something that's about
 24 that big (indicating) --
 25 MS. BIRDSILL: Uh-huh.

1 MR. BEHAR: -- you know, maybe a little bit
2 bigger, but 18 by 18 is --
3 CHAIRMAN AIZENSTAT: Should it be limited
4 to the size of the actual statue or the art
5 that you're --
6 MR. BEHAR: No, because the statue could be
7 quite big.
8 MR. LAGO: Could I ask you a quick
9 question?
10 MS. BIRDSILL: Sure.
11 MR. LAGO: We just recently had, or we
12 still do, I'm not sure, the snails.
13 MS. BIRDSILL: Yes.
14 MR. LAGO: The multiples. If you -- Can
15 you explain to me a little bit more, if you
16 clarify the issue of, it's two signs per
17 sculpture or per artwork, correct?
18 MS. BIRDSILL: Yes.
19 MR. LAGO: That's what we're requesting in
20 this ordinance?
21 MS. BIRDSILL: Yeah, and for a temporary
22 exhibition, you obviously -- it would be
23 temporary signage.
24 MR. LAGO: But my question is, if that's a
25 temporary exhibit, how do you -- how are you

1 going to handle it? You're going to have two
2 signs -- From what I remember, there was
3 probably about 20, 25 snails throughout the
4 City of Coral Gables.
5 MS. BIRDSILL: There were 22, yeah.
6 MR. LAGO: How many were there?
7 MS. BIRDSILL: 22.
8 MR. LAGO: 22?
9 MS. BIRDSILL: Yeah.
10 MR. LAGO: How would you handle two signs
11 per 22?
12 MS. BIRDSILL: Well, in that case, we would
13 have asked the gallery to pay for any of the
14 signage that they wanted to put near them, so
15 my guess is that they wouldn't have maximized
16 that.
17 MR. LAGO: Is that considered one piece of
18 work or is that considered individual pieces of
19 art?
20 MS. BIRDSILL: In that case, they were so
21 separated from each other, it would be
22 beneficial to have a sign by each one.
23 CHAIRMAN AIZENSTAT: So you'd have two for
24 each one?
25 MS. BIRDSILL: Yes, you could.

1 MR. LAGO: So it's not considered one?
2 It's not considered --
3 MS. BIRDSILL: You could.
4 MR. BEHAR: You know, what I like about
5 Coral Gables, the realtors put a little sign,
6 and what I like about those requirements is
7 that those are so subtle. You know, you step
8 outside the boundary of Coral Gables, and you
9 see, you know, "For Sale by Owner," and you can
10 see huge signs.
11 MS. BIRDSILL: You will preclude, then, the
12 ability to give sort of a narrative of what the
13 meaning of the piece is, any kind of
14 educational component, if it's too small.
15 MR. BEHAR: You know, I go back to, we did,
16 back many years ago, those -- and we're
17 responsible if you don't like them -- the
18 entrances to Coral Gables from the City of
19 Miami, on Miracle Mile, the two fountains and
20 the mini Arc de Triomphe that we put there.
21 MS. BIRDSILL: Uh-huh.
22 MR. BEHAR: The signage to give credit to
23 everybody there was no bigger than like an 8 by
24 12, okay? And everybody got credited for doing
25 the work. You know, maybe you leave, you know,

1 a sign, and on the other one, you put the
2 definition of the intent of the artist, but I
3 think, personally, 18 by 18 or that 324 square
4 inches, is too big. And, yeah, the lettering
5 may have to be smaller and, you know, you've
6 got to get off to look at it, but I personally
7 think it's too big.
8 MR. GRABIEL: I agree. I agree with that.
9 MS. KEON: I have some questions about
10 other venues, I mean, other cities and places.
11 I'm trying to think about any temporary
12 installation that I've ever seen that really
13 had a lot of signage with it, and I don't
14 recall any temporary exhibit ever being --
15 having that sort of information on it. I do
16 think, if you have permanent pieces of art
17 either that have been donated or the City has
18 purchased, that generally there is a plaque on
19 the piece of art that indicates the title, the
20 name of the piece, and the artist, you know, or
21 if it's on a building, you could have on the
22 building a small plaque that has the name of
23 the artist, but I don't really --
24 MR. BEHAR: You're absolutely correct, and
25 as a matter of fact --

1 MS. KEON: I don't really think -- I don't
 2 like it at all.
 3 MR. BEHAR: I want Cynthia to hear this.
 4 As a matter of fact, we just finished -- we
 5 just finished working with the County on an Art
 6 in Public Places down in the -- a project we
 7 did with Miami-Dade County, Michael Spring's,
 8 and the artist who created the plaza and all
 9 the artwork there, did not get any more than an
 10 eight and a half by eleven area to get his
 11 credit.
 12 MS. KEON: Right.
 13 MR. BEHAR: I mean, and this is with
 14 Miami-Dade County, which Miami-Dade County
 15 has -- I mean, I'm sure you've heard, Michael
 16 Spring's exhibit, contemplating putting a --
 17 suspending that for a couple years, so if
 18 you're aware of that --
 19 MS. BIRDSILL: The whole program, you mean?
 20 MR. BEHAR: Yes.
 21 MS. BIRDSILL: Oh.
 22 MR. BEHAR: You know, that -- It was
 23 supposed to go through -- to their Commission
 24 recently, to suspend Art in Public Places for a
 25 couple years, because it's -- it's not, you

1 know, working now. But nevertheless, we just
 2 finished a project that the area that they gave
 3 the artist to put all his information and all
 4 the credit is no more than an eight and a half
 5 by 11.
 6 MS. BIRDSILL: Okay, so that would be the
 7 size you think is appropriate?
 8 MR. BEHAR: I think so.
 9 MS. KEON: But I also have a grave concern
 10 about temporary installations of art.
 11 MS. BIRDSILL: Okay.
 12 MS. KEON: I don't -- I don't really think
 13 there should be any signage associated with
 14 them. It's temporary signage. It's going to
 15 be something that's stuck in the ground, I
 16 think it can be removed, it can be -- I
 17 don't -- I don't think that temporary
 18 installations --
 19 MR. BEHAR: But, Pat, it's not fair for an
 20 artist who's lending us some artwork to exhibit
 21 throughout the City, not to get credit for it.
 22 I mean, it's a temporary signage that goes with
 23 the temporary artwork.
 24 MS. KEON: But I think -- but it should go
 25 on the art piece. I don't think it should be

1 put in the ground or whatever.
 2 CHAIRMAN AIZENSTAT: What's the difference
 3 if it's on the ground?
 4 MR. BEHAR: But --
 5 MS. BIRDSILL: But that may not be
 6 appropriate to the piece. It might not --
 7 MR. BEHAR: Exactly. I don't think you
 8 should go -- you know, see, there I think
 9 you're not correct, because we're going to
 10 affect the artwork. I think you put it within
 11 the vicinity of the artwork, and it's
 12 temporary, whether it's a, you know, stick in
 13 the ground, or it's something, but you
 14 should give them --
 15 MS. KEON: I really don't want to see
 16 ground signs. I mean, I don't want to see two
 17 ground signs by every snail in this City, stuck
 18 in the ground. I really don't. I think it's
 19 ground litter.
 20 MR. LAGO: That's why I was asking that
 21 question. I mean --
 22 MS. KEON: Yeah, I --
 23 MS. BIRDSILL: So maybe, for temporary
 24 signage, we'd limit it to one sign --
 25 MR. LAGO: If you ask the City of Coral

1 Gables --
 2 MS. BIRDSILL: -- per unique piece?
 3 MS. KEON: No, for the exhibit.
 4 MR. LAGO: What would you do with --
 5 MS. KEON: One sign for the whole thing.
 6 MS. BIRDSILL: Well, let's say that we had
 7 six Boteros being displayed, and they were all
 8 different. Would you feel differently about
 9 that? I mean, maybe we look at the snails and
 10 we say they're all identical.
 11 MR. BEHAR: Of course. I want to make sure
 12 that he gets the credit and he wants to come
 13 back and exhibit more artwork here.
 14 MS. KEON: Right, but I think there must be
 15 a different way to do that, I really do, other
 16 than this. I mean, I know in New York, on Park
 17 Avenue, where there is the -- you know, there's
 18 a very large green space median, and they do --
 19 There's like one sign placed along that median
 20 that tells -- or the sections of the median
 21 that tell you, you know, what this is, and
 22 it's, you know --
 23 CHAIRMAN AIZENSTAT: But that's different.
 24 You're taking an example of a pedestrian city,
 25 more so -- Let's just take the example of the

1 snails. The snails are throughout the City of
2 Coral Gables. So are you going to put one sign
3 on Ponce, and the snails that are over on
4 LeJeune, you're going to expect that person to
5 drive by there, too?

6 MS. KEON: Actually, I wouldn't allow them
7 to put any, when it's spread out all over the
8 City like that.

9 CHAIRMAN AIZENSTAT: Why?

10 MS. KEON: I really wouldn't. I mean, you
11 can advertise it, figure out how to put
12 something up someplace in the City, but I
13 wouldn't -- I wouldn't want to see that for
14 every -- you know, whatever temporary
15 installation there is.

16 MR. BEHAR: Now, I would probably say,
17 okay, you know, how do you display it? Maybe
18 you have a -- we have a piece of stone that is
19 on the ground and that temporary plaque is set
20 on that stone or something, that looks
21 aesthetically pleasing, but I strongly
22 disagree. I think that the artist should get
23 credit. If he has 10 exhibits throughout the
24 City, he should have at least one --

25 CHAIRMAN AIZENSTAT: Be allowed one per --

1 MR. BEHAR: -- plaque on every exhibit.
2 You know, and Botero is the perfect example.
3 You know, if a guy comes in and says, you know,
4 "I'm going to lend you some of my beautiful
5 work for a display," we want to make sure we're
6 going to benefit. The City as a whole will
7 benefit from that.

8 MS. KEON: Okay, but like when Fairchild
9 does their -- Now they have art --

10 MR. BEHAR: Chihuly, Chihuly.

11 MS. KEON: -- exhibits there, when Chihuly
12 was there. There wasn't -- I mean, it was
13 advertised that there was a Chihuly exhibit at
14 Fairchild, but there wasn't, was there, a
15 marker or a sign at every piece, telling you
16 what --

17 MR. BEHAR: But it's different.

18 CHAIRMAN AIZENSTAT: I think that's
19 different.

20 MR. BEHAR: It's different. You're talking
21 about a specific location.

22 MS. KEON: That's right.

23 MR. BEHAR: A specific location. We're
24 talking about artwork that could be throughout
25 the City. You could have one on Ponce and 8th

1 Street.

2 MS. KEON: Right.

3 MR. BEHAR: -- and you could have one on
4 Fairchild Gardens.

5 MS. KEON: Yeah, but I would like to know
6 how other cities do that. I mean, is this how
7 other cities do it?

8 MS. BIRDSILL: Yeah, yeah. I mean, if you
9 go look at other Art in Public Places Programs,
10 they usually do have -- I mean, there are
11 different ways you can make the signs, but
12 sometimes they'll have a picture of the piece
13 and a long description of everything about the
14 piece. It's intended to be educational, in
15 addition to informative.

16 MR. BEHAR: I mean, the only thing that I'm
17 opposed to a little bit is the size.

18 MS. BIRDSILL: Okay. That makes sense.

19 CHAIRMAN AIZENSTAT: And I agree. I agree
20 with that.

21 MS. BIRDSILL: Okay.

22 MR. BEHAR: You know, but I think that, you
23 know, on the temporary, it's only one sign.

24 CHAIRMAN AIZENSTAT: Exactly.

25 MS. BIRDSILL: Okay, temporary.

1 MR. BEHAR: On the permanent, you're
2 allowed to have the two signs --

3 CHAIRMAN AIZENSTAT: Two signs.

4 MR. BEHAR: -- and the size, I would -- I
5 would strongly recommend that we go, you know,
6 say like a 10 by 12.

7 MS. KEON: But Robert, why do you let two
8 signs on a permanent exhibit? I mean, it's
9 usually -- Usually, the sign is -- I don't
10 know, I mean, most times I see that if it's a
11 sculpture, it's on the piece itself. It's on
12 the base of the piece or something.

13 MR. GRABIEL: Typically, it's one sign.

14 MS. KEON: It's not two signs. I mean,
15 it's --

16 MR. GRABIEL: When you have an art piece,
17 you have one sign.

18 MS. KEON: Yeah, when you have an art
19 piece, you have one sign. I mean, I don't --
20 you know -- you know, maybe if somebody is
21 designing, you know, a whole plaza, that's
22 integral to the design of the plaza, I mean, I
23 can understand that. I mean, it's just -- you
24 know, I'm thinking -- you know, recently I was
25 in Chicago and, you know, by the Chicago Art

1 Institute, you know, along that wall, where
2 they have, you know, the fountains and all the
3 water pieces and things there, you know, I
4 don't think I saw any signage, but if there
5 was, it was --

6 MR. BEHAR: Discreetly done.

7 MS. KEON: -- very discreetly done, and it
8 was, you know, on the exhibit, but -- you know,
9 and -- you know, but even in -- I go to New
10 York all the time, and I'm --

11 MR. BEHAR: I'm sure --

12 MS. KEON: I can see it like a plaza, it's
13 on -- there is a larger sign if it is a plaza
14 or something like that, as opposed to just a
15 statue, you know, where it's on the statue, is
16 usually the name of the art piece, with the
17 artist.

18 MR. BEHAR: If you ask Botero to put a
19 plaque on his statue --

20 MS. KEON: Well, his is a little different,
21 because -- You're right, you're right.

22 MR. BEHAR: Well, but you have -- He would
23 never come into the City of Coral Gables.

24 MS. KEON: But they usually sit -- Don't
25 most of his statues sit on a base of some sort?

1 MR. LAGO: No, some don't.

2 MR. BEHAR: No, some don't.

3 MS. KEON: No, some don't, but --

4 MR. LAGO: The horses and all those. Maybe
5 the figures do.

6 MS. KEON: Well, the horses sit on a base,
7 too, because otherwise the -- what you call it,
8 the hoofs wouldn't be able to be stabilized, so
9 they're generally on a base of some sort, and
10 usually it's at the base, you know, you see --

11 CHAIRMAN AIZENSTAT: From what I'm
12 listening to --

13 MS. KEON: -- the artist's name or
14 something. I have observed that.

15 CHAIRMAN AIZENSTAT: From what I'm hearing,
16 it sounds like the Board is looking that if
17 it's a temporary exhibit, they want to do one
18 sign, for right now. They want to go ahead and
19 also limit the size, as Robert suggested.

20 Do we also want, as a Board, or how does
21 everybody feel about having just one sign even
22 if it's permanent? Because we're going around
23 with the same discussion.

24 MS. KEON: Well, I think you should have
25 one sign if it's permanent, but I think there

1 should be some way that, if someone is
2 designing, you know, a large fountain or, you
3 know, a piece like -- you know, I know the
4 Garden Club, you know, did things for all the
5 entrances, and they should --

6 CHAIRMAN AIZENSTAT: Right.

7 MS. KEON: -- be recognized for it. So,
8 you know, maybe, depending on what the size of
9 the -- you know, what it is that you're
10 designing, whether it's a -- you know, this is
11 a --

12 MS. BIRDSILL: So if we say signage
13 appropriate to the scale of the piece?

14 MS. KEON: I --

15 MR. GRABIEL: I think that's too broad.

16 MS. KEON: I don't think we're comfortable
17 with that. I think that leaves -- you know, I
18 would be concerned legally that that leaves a
19 lot of room for interpretation.

20 MS. BIRDSILL: I mean, this will be
21 reviewed by the Board of Architects, as well.

22 MS. KEON: Yeah.

23 MR. BEHAR: Either -- either you do limit
24 the number of signs --

25 CHAIRMAN AIZENSTAT: Not to exceed --

1 MR. BEHAR: -- you know?

2 CHAIRMAN AIZENSTAT: -- as far as the size.

3 MR. BEHAR: Well, the size is already -- I
4 think we should put a limit, you know, whether
5 it's 10 by 12 or whatever, but the number,
6 either -- On temporary, it's definitely one
7 sign.

8 MR. GRABIEL: Right.

9 MR. BEHAR: On a permanent, maybe not to
10 exceed two signs, depending on the location
11 and --

12 MS. KEON: The size and the scale of the --

13 MR. BEHAR: Because I'll tell you, you're
14 absolutely right, the Garden Club paid for the
15 fountain. There was a -- There was one sign to
16 recognize all the incoming contributions and
17 then one for them.

18 MS. KEON: Yeah, right.

19 MR. BEHAR: So maybe it's not -- up to a
20 maximum of two on the permanent, depending on
21 the size.

22 CHAIRMAN AIZENSTAT: Who decides whether
23 it's one or two?

24 MS. BIRDSILL: It could be the Board of
25 Architects. The design has to go to them.

1 CHAIRMAN AIZENSTAT: Based on the design?
 2 MS. KEON: Based on the size and scale of
 3 the project.
 4 MR. BEHAR: Do we think the Board of
 5 Architects should --
 6 MR. GRABIEL: (Inaudible).
 7 MS. KEON: I don't know, but I do think
 8 that -- I don't know, unless you -- you know,
 9 if it's a -- and there's a difference between a
 10 piece of artwork that is a sculpture or -- than
 11 a -- the actual building of some -- like a
 12 pavilion or a -- I mean, what's the difference
 13 in -- What's the words for that, Architects? I
 14 mean, what do you -- I mean, how do you -- How
 15 do you describe those things, whether -- If
 16 you're building -- you know, if someone's
 17 building a public space that includes, you
 18 know, multiple elements, that's a different --
 19 that is a different thing than --
 20 MR. BEHAR: Yeah, but we're not --
 21 CHAIRMAN AIZENSTAT: We're talking about
 22 art in --
 23 MS. BIRDSILL: It is possible we could have
 24 an artist in the Art in Public Places Program
 25 design, you know, the plaza or design a

1 fountain or design, you know, a wall treatment,
 2 you know.
 3 MS. KEON: And you'd want to give them
 4 credit, so --
 5 MS. BIRDSILL: Yeah.
 6 MS. KEON: -- would they fall under this,
 7 too?
 8 MS. BIRDSILL: Uh-huh.
 9 MS. KEON: See, that's my concern, is that
 10 they would fall under this, and then --
 11 CHAIRMAN AIZENSTAT: Well, the Board of
 12 Architects -- we're saying that the Board of
 13 Architects --
 14 MS. KEON: Okay.
 15 CHAIRMAN AIZENSTAT: -- would look at that.
 16 MR. BEHAR: I think that's the right
 17 approach --
 18 CHAIRMAN AIZENSTAT: That's the right
 19 approach.
 20 MR. BEHAR: -- is, let's leave it up to the
 21 Board of Architects to approve, you know, the
 22 second sign and the location of it.
 23 CHAIRMAN AIZENSTAT: So, since you --
 24 Robert, since you went ahead and made the
 25 original motion and it was seconded, would you

1 like to --
 2 MR. BEHAR: It was Julio.
 3 MS. KEON: Julio made the --
 4 CHAIRMAN AIZENSTAT: I'm sorry, you're right.
 5 Would you like to modify that?
 6 MR. BEHAR: Is this the second motion or is
 7 it part of the first?
 8 CHAIRMAN AIZENSTAT: No, this would -- We
 9 need to go ahead and have it all in one motion.
 10 MR. BEHAR: A friendly amendment.
 11 MS. KEON: Do an amendment. It's a
 12 friendly amendment.
 13 MR. BEHAR: A friendly amendment to your
 14 motion.
 15 Is that correct?
 16 MR. LEEN: Yes, as long as everyone agrees,
 17 it can be a friendly amendment.
 18 MR. GRABIEL: So we're -- I move to amend
 19 the previous motion to -- for the Art in Public
 20 Places portion of it, that its sign will be 10
 21 by --
 22 MR. BEHAR: 10 by 12.
 23 MR. GRABIEL: -- 10 by 12, no more than 10
 24 by 12.
 25 MR. LEEN: May I give you some advice on

1 that? Currently, you use square inches --
 2 CHAIRMAN AIZENSTAT: So --
 3 MR. LEEN: -- 324 --
 4 MR. GRABIEL: It's 120 square inches.
 5 MR. LEEN: -- which could allow it to be a
 6 square or a rectangle.
 7 MR. GRABIEL: 120 square inches, 10 by 12,
 8 okay, and it could be up to two signs -- only
 9 one sign if it's a temporary exhibit, and up to
 10 two signs that need to be approved by the Board
 11 of Architects. Does that comply with
 12 everybody's --
 13 MR. BEHAR: I'll have a friendly amendment
 14 to my second.
 15 MR. LEEN: May I make one other -- and I
 16 don't want to get involved in the policy-
 17 making, but if you made it 121, that would
 18 allow an 11 by 11, whereas if you make it 120,
 19 it wouldn't. That's just a note.
 20 MR. GRABIEL: I will amend my amendment to
 21 121.
 22 CHAIRMAN AIZENSTAT: Thank you.
 23 Robert?
 24 MR. BEHAR: I don't know if I can do the
 25 extra inch. Yes.

1 CHAIRMAN AIZENSTAT: Any other discussion?
 2 No?
 3 Call the roll, please.
 4 MS. MENENDEZ: Julio Grabiell?
 5 MR. GRABIEL: Yes.
 6 MS. MENENDEZ: Pat Keon?
 7 MS. KEON: Yes.
 8 MS. MENENDEZ: Vince Lago?
 9 MR. LAGO: Yes.
 10 MS. MENENDEZ: Robert Behar?
 11 MR. BEHAR: Yes.
 12 MS. MENENDEZ: Eibi Aizenstat?
 13 CHAIRMAN AIZENSTAT: Yes.
 14 The next application request is an
 15 Ordinance of the City Commission of Coral
 16 Gables, Florida, providing for a text amendment
 17 to the City of Coral Gables Official Zoning
 18 Code, Article 4, "Zoning Districts," Division
 19 2, "Overlay and Special Purpose Districts,"
 20 Section 4-201, "Mixed Use District," amending
 21 ground floor office use provisions for Mixed
 22 Use District projects; and providing for
 23 severability, repealer, codification, and an
 24 effective date.
 25 Eric?

1 MR. RIEL: Just very briefly, what this
 2 does -- In 2005, '6 and '7, the City created a
 3 mixed use overlay district, which is basically
 4 the south end of the City. We also revised the
 5 mixed use provisions that allow mixed use
 6 buildings throughout the City commercial and
 7 industrial areas.
 8 At the time of the development of the
 9 ordinance, there was a limitation in terms of
 10 what happens on the ground floor. It was
 11 limited to retail sales and service,
 12 restaurant, or basically plazas, courtyards and
 13 open spaces.
 14 Offices was not permitted unless it was
 15 adjacent to a hundred-foot right-of-way. What
 16 we're suggesting and recommending approval here
 17 is to include office without that limitation of
 18 a hundred feet, which would allow additional
 19 flexibility for different types of ground floor
 20 uses. And also understand that any mixed use
 21 project needs to come through this Board, as
 22 well as the Commission. So there's the ability
 23 and discretion, as a conditional use, to
 24 limit -- you know, to ensure that there's
 25 animation and activity on the street. That was

1 the concern of Staff --
 2 CHAIRMAN AIZENSTAT: But there's been --
 3 MR. RIEL: -- at that time, so --
 4 MR. BEHAR: I think this is a good idea. I
 5 think it really makes the ground floor of a
 6 building more diverse and more active with
 7 different uses. I'm in total support of this,
 8 so I make a recommendation for approval.
 9 CHAIRMAN AIZENSTAT: Before we do that,
 10 let's see if there's any input.
 11 Laura, since you're our public?
 12 MS. RUSSO: No, I just came to listen to
 13 the discussion. Thank you.
 14 CHAIRMAN AIZENSTAT: Okay. Thank you.
 15 We'll close the floor to discussion.
 16 MS. KEON: The only thing I have a question
 17 about is -- but I agree with you, because when
 18 I -- we were speaking about it, I said it's a
 19 great opportunity for banks to locate branches
 20 in ground floor spaces of buildings, of
 21 residential buildings, and that's a good thing.
 22 The only thing I wouldn't like to see, and it
 23 happened with the building that the -- is it
 24 Marshalls, the building at the end of the Mile,
 25 on the corner of Miracle Mile and Douglas,

1 where they --
 2 MS. RUSSO: Ross.
 3 MS. KEON: Ross, where over their windows,
 4 that were designed to be windows where you
 5 would see activity, they --
 6 CHAIRMAN AIZENSTAT: Closed them.
 7 MS. KEON: They closed them off, and you --
 8 all you see is a door, and you no longer
 9 have --
 10 MR. BEHAR: The interaction.
 11 MS. KEON: -- the interaction with the
 12 street, which I think is -- which that was what
 13 I wouldn't want to lose --
 14 MR. BEHAR: But this is different --
 15 MS. KEON: -- so I'm asking you that.
 16 MR. BEHAR: -- because this is to allow --
 17 Let me tell you, this is to allow -- like my
 18 office, I'm actually -- The reason we're there
 19 in the ground floor is because we love the
 20 interaction with the street.
 21 MS. KEON: Right.
 22 MR. BEHAR: And in the MDX -- you know,
 23 MXD, we would not be able to have similar
 24 offices to mine on the ground floor.
 25 MS. KEON: Right, but so how do we also --

1 Is there a provision that will encourage that
2 interaction, as opposed to them, you know,
3 sealing off the windows or making them blank
4 walls, so as you walk down the street, what you
5 have is wall after wall after wall, as opposed
6 to that experience of --

7 CHAIRMAN AIZENSTAT: Glass.

8 MS. KEON: -- you know, being able to see
9 or -- It is animation. So how do we protect
10 the animation and allow for offices to be
11 there?

12 CHAIRMAN AIZENSTAT: Eric, is there
13 anything in our Building Code?

14 MR. RIEL: There's nothing in the Code that
15 prevents someone from closing off, you know,
16 visually, a window. We don't have provisions
17 that deal with that.

18 MS. KEON: No.

19 MR. RIEL: We just don't.

20 MS. KEON: Right.

21 MR. RIEL: We did discuss this at the time
22 we did discuss the update of the sign code, in
23 terms of coverage of windows, but there's no --

24 MS. KEON: There isn't, and I think that's
25 really a very -- I mean, not directed at that

1 particular merchant, but I think it's a shame
2 that that has happened in that place.

3 MR. BEHAR: You're right, but that's
4 typically happened on a retail space --

5 MS. KEON: Right.

6 MR. BEHAR: -- where they need blank walls.

7 MS. KEON: Right.

8 MR. BEHAR: You know, they do it. In an
9 office, where you want -- The reason we do it
10 is to bring the natural light in. I don't want
11 to close it off. So --

12 MS. KEON: But is there verbiage that you
13 can -- you know, you can put in here that
14 preserves the, you know, animation?

15 MR. RIEL: That's certainly something we
16 can do, but I -- you know, we would need to do
17 that analysis. I would not suggest that you
18 put it as part of this.

19 MS. KEON: Okay. All right, then, I would
20 ask that you would do that.

21 CHAIRMAN AIZENSTAT: But we can suggest or
22 the Board can ask for you to look into that.

23 MR. RIEL: We can certainly look at that.

24 CHAIRMAN AIZENSTAT: All right, we can do
25 that.

1 MR. BEHAR: So I'd like --

2 MS. KEON: Okay, then, I have no problem
3 with it, as long as you -- as long as you
4 will --

5 MR. BEHAR: Any others?

6 CHAIRMAN AIZENSTAT: Any others? No other
7 discussion?

8 MR. BEHAR: I would make an amendment to my
9 motion or make a motion that we accept with the
10 condition that the Staff looks into a --

11 MR. RIEL: Let's do a separate motion.
12 Don't mix these issues up.

13 CHAIRMAN AIZENSTAT: Yes, agreed.

14 MR. BEHAR: Then I make a motion to
15 approve.

16 MR. GRABIEL: Second.

17 CHAIRMAN AIZENSTAT: First and second. Any
18 discussion?

19 Call the roll, please.

20 MS. MENENDEZ: Pat Keon?

21 MS. KEON: Yes.

22 MS. MENENDEZ: Vince Lago?

23 MR. LAGO: Yes.

24 MS. MENENDEZ: Robert Behar?

25 MR. BEHAR: Yes.

1 MS. MENENDEZ: Julio Grabiell?

2 MR. GRABIEL: Yes.

3 MS. MENENDEZ: Eibi Aizenstat?

4 CHAIRMAN AIZENSTAT: Yes.

5 MS. KEON: Okay, so, at this point, can we
6 make a request in how --

7 MR. RIEL: Basically, you were asking Staff
8 to look at the coverage of windows.

9 MS. KEON: We would like to look at --

10 MR. RIEL: Coverage.

11 CHAIRMAN AIZENSTAT: On the ground floor.

12 MR. RIEL: Ground floor coverage.

13 MS. KEON: On the ground floor, that
14 preserves the animation.

15 CHAIRMAN AIZENSTAT: And the interaction
16 between the street --

17 MS. KEON: Okay, thank you.

18 CHAIRMAN AIZENSTAT: Thank you.

19 The next item is an Ordinance of the City
20 Commission of Coral Gables, Florida, providing
21 for a text amendment to the City of Coral
22 Gables Official Zoning Code, Article 4, "Zoning
23 Districts," Division 2, "Overlay and Special
24 Purposes" -- "Special Purpose Districts,"
25 Section 4-201, "Mixed Use District," amending

1 the residential unit density for MXD projects;
2 and providing for severability, repealer,
3 codification, and an effective date.

4 Eric?

5 MR. RIEL: Again, I just have a very brief
6 PowerPoint, and Scot, maybe -- because it will
7 probably be easier to see.

8 This is an amendment to remove the
9 residential density limitation in the north and
10 south industrial mixed use district, as well as
11 the CBD. We're not proposing any change in the
12 performance standards in terms of the floor
13 area ratio, the permitted building height, and
14 the setbacks.

15 Basically, what this is, is to remove --
16 Right now, there's a density limitation of 125
17 units an acre in the mixed use district, which
18 is shown up on the screen. And we're also
19 suggesting that the density limitations be
20 lifted, as well, in the CBD, and again, this is
21 for mixed use projects only, that will come
22 through this Board for review, as well as the
23 City Commission, and this was basically an
24 issue that was discussed as a part of the
25 Zoning Code rewrite, as well as the

1 Comprehensive Plan, and let me just go to --

2 As a part of the Zoning Code text
3 amendment -- and this kind of goes through a
4 time line. On the previous or the archived
5 Zoning Code, the City regulated by floor area
6 ratio, floors, height, which is basically feet,
7 residential density, and parking, which is kind
8 of a silent regulator.

9 As a part of the rewrite of the Code, what
10 we did is, we removed the floor limitation, and
11 that was specifically done to allow -- because
12 the floor-to-floor height was much less, to
13 allow the opportunity to provide additional
14 residential, and encouraged it in the mixed use
15 areas, as well as the Central Business
16 District.

17 The result of this request here would
18 remove the residential density limitation, so
19 basically there would be the regulation on the
20 FAR, the height in feet, and then parking.
21 There's no -- again, no increase in height.
22 This does not increase the mass or bulk of the
23 building. It's basically going to a form-based
24 Code. And again, this is the Zoning Code
25 amendment, kind of the time line from the

1 archived Code to the current Code.

2 As a part of the Comp Plan changes which we
3 just adopted in 2010, we did the same thing.
4 We removed the floor limitation, which was in
5 actually each of the categories, and actually,
6 when we did the Code rewrite at that time, we
7 removed the density, the maximum density
8 limitation in the mixed use area, as well.

9 So, if you look at kind of both of these
10 charts, and I'll go back, basically where we're
11 landing on both the Zoning Code and the
12 Comprehensive Plan is consistent regulating by
13 FAR, the height, and then, you know, the
14 silent -- you know, parking generator.

15 So Staff did a lot of research in terms of
16 other communities, and you'll see in the
17 report, across the United States a lot of
18 communities are removing their residential
19 density limitations near the core of downtown.
20 Tampa, for example, has had that in existence
21 for some time, San Francisco, and also there's
22 other cities out west, as well as in the east.

23 Again, this is basically a form-based Code,
24 and there was actually a provision or objective
25 put in the Comprehensive Plan that kind of

1 forecasted that. Obviously, we want to try to
2 encourage residential in the CBD area, as well
3 as the mixed use area, the reason being because
4 we have the trolley, successful trolley, as
5 well as the Metrorail, which has regional
6 transportation connections.

7 So Staff recommends approval of this. We
8 wholeheartedly support this, and we hope -- and
9 I forgot to mention, also, there is a minimum
10 size of 575 square feet per unit, which has
11 been in the Code for some time. So this will
12 allow the flexibility of, you know, encouraging
13 residential in the downtown, as well as the
14 mixed use areas. It's just another provision,
15 again, to try to meet, you know, the market
16 demands and the flexibility of the development
17 community, to, again, encourage residential,
18 which is something we've been striving for in
19 the downtown for a number of years.

20 MR. GRABIEL: I think anything that we can
21 do to add more residential in the core area is
22 laudable, and I support it.

23 CHAIRMAN AIZENSTAT: Any other comments?

24 MS. KEON: I just have a question about the
25 parking, and I know we talked about this.

1 What -- what is the parking requirement now per
 2 unit? Is it one, one and a half?
 3 MR. BEHAR: 1.75 space per unit for a
 4 one --
 5 MS. KEON: What is it?
 6 MR. BEHAR: 1.75 for one or two bedroom,
 7 two parking spaces for a three bedroom
 8 apartment.
 9 MS. KEON: Okay, so when you have a studio,
 10 what's that?
 11 MR. BEHAR: 1.75 per --
 12 MS. KEON: It's still 1.75?
 13 CHAIRMAN AIZENSTAT: It doesn't change.
 14 MS. KEON: I just want to make sure that
 15 that's --
 16 MR. BEHAR: I think this is a great idea.
 17 Like Julio was saying, this is a wonderful
 18 idea. I think it's --
 19 MS. KEON: It is a wonderful idea. I just
 20 don't want to eliminate the parking. Right.
 21 MR. BEHAR: This is how you -- you know,
 22 you encourage and improve quality of life, when
 23 you have, you know, density, more density, in
 24 the Central Business District and the mixed
 25 uses. I totally support it and --

1 MS. KEON: But you can also require the
 2 smaller the unit -- and you can have more units
 3 in a building because they're smaller, and I
 4 don't have a problem with that, but you're
 5 going to increase, then, the number of parking
 6 places that are required, which is fine.
 7 MR. BEHAR: But you still have to contain
 8 it within your project.
 9 MS. KEON: That's right. No, I don't have
 10 a --
 11 CHAIRMAN AIZENSTAT: Within your project,
 12 and it's not very viable to go ahead and do
 13 that many.
 14 MS. KEON: No, all I just want to make sure
 15 that the parking isn't --
 16 MR. BEHAR: You know, there's a big
 17 tendency nationally to reduce the size of the
 18 unit. You know, we do a lot of multi-family
 19 residential projects, and the tendency is to
 20 reduce it. You know, this really doesn't
 21 affect -- because the 575 is still the minimum.
 22 MS. KEON: Right.
 23 MR. BEHAR: You know, what it will do is
 24 allow, you know, the flexibility to have a
 25 little bit more. We're not talking that you

1 can fit, you know, twice as many more, because
 2 you're given --
 3 MS. KEON: No, I understand that, right,
 4 but the parking remains -- I just want to make
 5 sure the parking remains the same.
 6 MR. RIEL: No, there's no change in
 7 parking.
 8 MS. KEON: Okay.
 9 CHAIRMAN AIZENSTAT: There's no changes
 10 anywhere else?
 11 MR. RIEL: No other performance standards.
 12 MS. KEON: That's fine.
 13 MR. RIEL: The only change is this --
 14 MR. BEHAR: I'll --
 15 CHAIRMAN AIZENSTAT: Before you do that,
 16 any input from the public? Seeing as there's
 17 none, let's close.
 18 Any other discussion? Is there a motion?
 19 MR. BEHAR: I'll make a motion to approve.
 20 MR. LAGO: Second the motion.
 21 CHAIRMAN AIZENSTAT: Second the motion.
 22 Any discussion? No?
 23 Call the roll, please.
 24 MS. MENENDEZ: Vince Lago?
 25 MR. LAGO: Yes.

1 MS. MENENDEZ: Robert Behar?
 2 MR. BEHAR: Yes.
 3 MS. MENENDEZ: Julio Grabiell?
 4 MR. GRABIEL: Yes.
 5 MS. MENENDEZ: Pat Keon?
 6 MS. KEON: Yes.
 7 MS. MENENDEZ: Eibi Aizenstat?
 8 CHAIRMAN AIZENSTAT: Yes.
 9 MR. BEHAR: Are we adjourned?
 10 CHAIRMAN AIZENSTAT: Seeing that there's no
 11 other items -- Any new business or anything,
 12 Eric?
 13 MR. RIEL: No, nothing else. Thank you.
 14 CHAIRMAN AIZENSTAT: Then we're adjourned.
 15 MR. BEHAR: Thank you.
 16 CHAIRMAN AIZENSTAT: Thank you.
 17 MR. LAGO: Thank you.
 18 (Thereupon, the meeting was adjourned at
 19 7:18 p.m.)
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CERTIFICATE

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STATE OF FLORIDA:
SS.
COUNTY OF MIAMI-DADE:

I, JOAN L. BAILEY, Registered Diplomate Reporter, Florida Professional Reporter, and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this 24th day of October, 2011.

SIGNED COPY ON FILE

JOAN L. BAILEY, RDR, FPR

Notary Commission Number EE 083192
Expiration June 14, 2015.